OLR Bill Analysis

HB 5597

Emergency Certification

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

SUMMARY:

This bill makes changes to various, unrelated topics. The changes are described in a section-by-section analysis below.

§§ 1-18 & 257 — CONNECTICUT FALSE CLAIMS ACT (CFCA) EXPANSION

The CFCA currently prohibits anyone from knowingly filing false or fraudulent claims for payment or approval under any Department of Social Services (DSS) medical assistance program. The bill repeals the current CFCA, replaces it with substantially similar provisions, and makes conforming changes.

It expands provisions of the current CFCA that ban the following actions to all state-administered health or human services programs, rather than just DSS medical assistance programs:

1. knowingly presenting, or causing to be presented, a false or fraudulent claim for payment or approval;

2. knowingly making, using, or causing to be made or used, a false record or statement material to a false or fraudulent claim;

3. being authorized to make or deliver a document certifying receipt of property used, or to be used, by the state relative to these programs and, with intent to defraud the state, make or deliver the document without completely knowing that the information on it is true;

4. knowingly buying, or receiving as a pledge of an obligation or

debt, public property from a state employee or officer who may not legally sell or pledge the property;

5. knowingly making, using, or causing to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the state;

6. knowingly concealing or knowingly and improperly avoiding or decreasing an obligation to pay or transmit money or property to the state; and

7. conspiring to commit the above actions.

Current law also prohibits anyone with possession, custody, or control of property or money used, or to be used, by the state for DSS medical assistance programs, and, with intent to defraud the state or willfully conceal the property, from (1) delivering or causing to be delivered less property than the amount for which the person receives a receipt or certificate or (2) conspiring to do so. The bill:

1. similarly expands this prohibition to all state-administered health or human services programs and

2. lowers the threshold by which someone is guilty of violating this provision by removing the need to act with the intent to defraud the state or willfully conceal the property and instead requiring the act to be committed knowingly.

State-Administered Health or Human Services Programs

Under the bill, "state-administered health or human services programs" include programs administered by the:

1. Department on Aging (DOA) and DSS;

2. departments of children and families (DCF), developmental services (DDS), mental health and addiction services (DMHAS), public health (DPH), and rehabilitation services (DORS);

3. Office of Early Childhood (OEC); and

4. Department of Administrative Services (DAS), for worker's compensation medical claims, including those reimbursed by the federal government.

It also includes state employee, retiree, and other health programs administered by the state comptroller's office (OSC).

EFFECTIVE DATE: Upon passage

§§ 19-22 — EMERGENCY MEDICAL SERVICES AND PRIMARY SERVICE AREA RESPONDERS

The bill makes several changes concerning emergency medical services (EMS) and primary service area responders (PSARs). By law, a "primary service area" is a specific geographic area to which the Department of Public Health (DPH) assigns a designated EMS provider for each category of emergency medical response services. These providers are termed "primary service area responders" (CGS § 19a-175).

EFFECTIVE DATE: October 1, 2014, except the provisions on PSAR sales and buyer approval are effective upon passage.

§§ 19-20 — Local EMS Plan Updates and DPH Review

By law, each municipality had to establish a local EMS plan containing specified information by July 1, 2002. The bill requires each municipality to update its plan as it determines necessary. In updating its plan, a municipality must consult with its PSAR. Upon request, DPH must assist municipalities with the updating process by (1) providing technical assistance and (2) helping to resolve disagreements (presumably between the municipality and PSAR) concerning the plan.

The bill also requires DPH, at least every five years, to review local EMS plans and PSARs' provision of services under them. In conducting the review, DPH must evaluate how the PSAR has complied with applicable laws and regulations and rate the service as "meeting performance standards," "exceeding performance standards," or "failing to comply with performance standards."

If DPH rates a PSAR as failing, the commissioner may require it to comply with a department-developed performance improvement plan. PSARs rated as failing may also be subject to (1) later performance reviews or (2) removal as the town's PSAR for failing to improve their performance.

The bill allows the commissioner to initiate a hearing on her own and remove the PSAR if she rated it as failing to comply with performance standards and the responder subsequently fails to improve its performance. The town may also petition for removal, as explained below.

§ 20 — Municipal Petition to Remove PSAR

By law, a municipality can petition the DPH commissioner to remove a PSAR not meeting certain standards. This applies to PSARs notified for initial response as well as those responsible for basic life support or services above basic life support.

Under current law, a municipality can file a petition (1) at any time based on an allegation that an emergency exists and the safety, health, and welfare of the PSA's citizens are jeopardized by the responder's performance or (2) not more than once every three years on the basis of the responder's unsatisfactory performance. The commissioner can revoke a PSAR assignment, after a contested case hearing, if she determines that (1) either of these standards are met or (2) it is in the best interests of patient care to do so.

For this purpose, current law does not define "emergency." The bill refers to "performance crisis" rather than "emergency," and defines the term as meaning that:

1. the PSAR failed to (a) respond to at least 50% of first-call responses in any rolling three-month period and (b) comply with any corrective action plan agreement between the PSAR and municipality or

2. the sponsor hospital refuses to endorse or recommend the PSAR due to unresolved issues relating to the PSAR's quality of patient

care. (By law, a sponsor hospital provides medical oversight, supervision, and direction to an EMS organization and its personnel.)

Current law specifies that "unsatisfactory performance" is determined under the local EMS plan and associated agreements or contracts. The bill instead defines the term as meaning that a PSAR failed to deliver services in accordance with the local EMS plan and also did any of the following:

1. failed to respond to at least 80% of first-call responses, excluding those the municipality excused in any rolling 12-month review period;

2. failed to (a) meet defined response time standards agreed to between the municipality and responder, excluding responses the municipality excused and (b) comply with a mutually agreed-upon corrective action plan;

3. repeatedly failed to investigate and adequately respond to complaints about quality of emergency care or response times;

4. repeatedly failed to report adverse events as required by the DPH commissioner or under the local EMS plan;

5. failed to communicate (a) changes to service level or coverage patterns that materially affect service delivery as required under the local EMS plan or (b) an intent to change service in a manner inconsistent with the plan; or

6. failed to communicate changes in its organizational structure likely to negatively affect its service delivery.

The bill requires the commissioner or her designee to open a petition (1) within five business days after receipt, for petitions alleging a performance crisis or (2) within 15 business days after receipt, for those alleging unsatisfactory performance. She must conclude her investigation within (1) 30 days after receipt for petitions alleging a performance crisis or (2) 90 days after receipt for those

alleging unsatisfactory performance.

The bill allows the commissioner, based on the facts alleged in a petition, to reclassify a performance crisis petition as an unsatisfactory performance petition and vice versa. If she does so, she must comply with the timeframes corresponding with her reclassification.

The bill authorizes the commissioner to develop and implement procedures for designating temporary responders while a performance crisis petition is under her review. It also prohibits a PSAR, while a municipal petition to remove the PSAR is pending, from transferring its responsibilities to another responder.

§ 21 — Sale or Transfer of PSAR

Under the bill, before a PSAR sells or transfers more than half of its ownership interest or assets, it must give at least 60 days' notice to (1) DPH and (2) the chief elected official or chief executive officer of the municipality where the PSAR is assigned. The intended buyer or transferee must apply to DPH for approval, on a form the commissioner prescribes.

In deciding whether to approve the transaction, the commissioner must consider the applicant's (1) performance history in Connecticut or other states and (2) financial ability to perform PSAR responsibilities under the local EMS plan.

The bill gives the commissioner 45 days to approve or reject the application. It allows her to hold a hearing on the application. She also must consult with any municipality or sponsor hospital in the PSA in making her determination.

§ 22 — Alternative Local EMS Plan for Municipalities Seeking PSAR Change

Under certain circumstances, the bill requires municipalities seeking a change in their PSARs to submit to DPH alternative local EMS plans. This applies when:

1. the municipality's current PSAR has failed to meet the standards

outlined in the local plan;

2. the municipality has established a performance crisis or unsatisfactory performance, as defined above;

3. the PSAR does not meet a performance measure set forth in regulations;

4. the municipality has developed a plan to regionalize service; or

5. the municipality (a) has developed a plan that will improve or maintain patient care and (b) has the opportunity to align to a new PSAR that is better suited than the current one to meet the community's current needs.

Under the bill, the alternative plan must include the name of a recommended PSAR for each category of emergency medical response services.

Within 45 days after a municipality submits such an alternative local EMS plan, each new recommended PSAR who agrees to be considered for the PSA designation must apply to the commissioner, on a form she prescribes.

If the commissioner receives such an alternative plan, including for the proposed removal of a PSAR and designation of a new PSAR, she must hold a hearing. The commissioner must give the municipality's current PSAR at least 30 days' notice of the hearing. The PSAR must have an opportunity to be heard and can submit information for the commissioner's consideration. (The bill does not specify a deadline for her to hold a hearing or make a decision after the hearing.)

In deciding whether to approve the plan, the commissioner must consider any relevant factors, including:

1. the plan's impact on (a) patient care, (b) EMS system design, including system sustainability, and (c) the local, regional, and statewide EMS system;

2. the recommendation of the sponsor hospital's medical oversight staff; and

3. the financial impact to the municipality without compromising the quality of patient care.

Under the bill, if the commissioner approves the alternative plan and the application of the recommended PSAR, she must issue a written decision to reassign the PSA in accordance with the alternative plan and indicate the effective date for the reassignment. The bill requires a PSAR to deliver services in accordance with the local EMS plan until the effective date of the reassignment as set forth in the commissioner's decision.

Background — Local EMS Plans

By law, a municipality's local EMS plan must include written agreements or contracts between the town, its EMS providers, and the public safety answering point covering the municipality. The plan must also include:

1. identification of specified levels of EMS;

2. the person or entity responsible for each EMS level identified in the plan;

3. performance standards for each part of the town's EMS system; and

4. any subcontracts, written agreements, or mutual aid call agreements that EMS providers have with other entities to provide services identified in the plan.

§§ 23-26 — ELECTRONIC OR MANUAL CHECK-IN OF VOTERS

The bill authorizes official checkers to use a secretary of the state-approved electronic device to check in electors at the polls. The secretary, in consultation and coordination with UConn, must conduct a review of electronic devices that could assist checkers in checking electors' names and, by September 1, 2015, compose a list of those she

approves for municipal use. She (1) must make the list available to municipalities in a manner she chooses and (2) may add or remove a device from the list as she determines necessary. By law, official checkers are responsible for verifying electors' identification and checking their names off the official registry list before they are permitted to vote.

The bill requires (1) official checkers to return the electronic device to the registrars after the polls close and (2) the registrars to print and sign the electronic registry list. The registrars must deposit the printed electronic registry list in the town clerk's office the following day, just as existing law requires them to do with the printed registry lists they currently use. Official checkers must use the printed copy of the voter registry list to check in voters if the electronic device becomes inoperable.

By law, official checkers must provide the moderator with a certificate immediately after the polls close that states the (1) number of names on the registry or enrollment list and (2) number checked as having voted in that election or primary. The bill eliminates a requirement that they (1) provide this certificate in duplicate and (2) place a copy of the certificate with the moderator's return and voted ballots from the polling place. It retains the requirement to file the certificate with the town clerk by the next day.

The bill also eliminates a provision under which the two electors next in line to vote may be admitted into the polling area to receive a ballot. It also makes technical changes.

EFFECTIVE DATE: Upon passage

§§ 27-33, 169, & 259 — CHET PROGRAM AND CSLF

The bill establishes a (1) college savings program for newborn and adopted children as part of the Connecticut Higher Education Trust (CHET) and (2) a separate, nonlapsing General Fund account to fund the program (CHET Baby Scholars Fund). The program must provide incentive payments to CHET beneficiaries born or legally adopted on

or after January 1, 2014 and living in Connecticut when the incentive payments are made. The state treasurer must administer the program, making incentive payments from the CHET Baby Scholars Fund.

The bill also reconstitutes the Connecticut Student Loan Foundation (CSLF) as a quasi-public subsidiary for the Connecticut Health and Educational Facilities Authority (CHEFA). Currently, CSLF is an independent, state-chartered nonprofit corporation created to make or guarantee loans under the Federal Family Education Loan Program. It stopped making new loans and sold its loan guarantee portfolio in 2009 and now performs mostly administrative duties. But it retains its power to make or guarantee loans.

EFFECTIVE DATE: Upon passage, except for the provisions concerning the CHET Baby Scholars Program, income tax refunds contributed to the CHET program, and CSLF, which are effective July 1, 2014.

§§ 27-33 — CHET Program

Incentive Payments. Under the bill, the treasurer must make up to two incentive payments to the savings plan of a participating child. She must make an initial $100 payment to the plan of a child who entered the program by his or her first birthday or within one year after the child's legal adoption. She must a subsequent $150 payment to the plan if it received at least $150 in deposits before the child's fourth birthday or within four years after his or her legal adoption. The bill allows taxpayers to contribute part of their state income tax refunds to CHET savings plans, including contributions under the CHET Baby Scholars Program. It excludes the money deposited in these plans as assets for determining eligibility under specific income assistance programs.

CHET Baby Scholars Program Administration. The bill establishes the CHET Baby Scholars Program as a component of the CHET program, which is Connecticut's state-sponsored college savings plan. The state treasurer must administer the program, providing incentive payments from the CHET Baby Scholars Fund

account the bill establishes. She may enter into one or more contractual agreements specifying requirements for participating in the Baby Scholars program and receiving its incentive payments. She may tap the account to cover the administrative cost of creating the account and making the payments.

Income Tax Refunds. The bill allows taxpayers to contribute any part of their state income tax refund to an individual CHET account, including accounts created under the Baby Scholars program. To help taxpayers interested in making such contributions, the revenue services commissioner must include information in the instructions accompanying tax returns indicating how taxpayers may contact the treasurer about CHET and CHET Baby Scholars or providing links to her website.

He must also revise the income tax return to include spaces allowing taxpayers to contribute a portion of their tax refunds to CHET and CHET Baby Scholars. He must include spaces allowing the taxpayer to indicate his or her intention make the contribution to a designated CHET beneficiary or to the CHET Baby scholar's program. With respect to CHET, the form must include space for recording the beneficiary's name and social security number. With respect to the Baby Scholars Program, the form must describe the program and specify that the taxpayer's contribution will not benefit a specific child.

Current law allows the commissioner to tap up to 7.5% of the funds contributed to these accounts each year to cover the cost of administering the accounts. The bill bars the commissioner from tapping CHET plan assets for this purpose.

CHET Assets. The bill excludes CHET funds in determining eligibility for (1) the Temporary Family Assistance program, (2) the Low-Income Home Energy Assistance Program, (3) the federally funded weatherization assistance program, and (4) an individual's need-based institutional grants offered at the state's public colleges and universities.

EFFECTIVE DATE: July 1, 2014, except for exclusion of CHET fund

for determining eligibility under specified programs and conforming technical changes, which take effect upon passage.

§§ 34-43,169, & 259 — CSLF

CHEFA Quasi-Public Subsidiary. The bill reconstitutes CSLF as a quasi-public subsidiary of CHEFA. (The Connecticut Higher Education Supplemental Loan Authority (CHESLA) is already a CHEFA subsidiary.) By making CSLF a quasi-public agency, the bill requires CSLF to comply with the statutes governing such agencies. Among other things, CSLF must (1) obtain the state treasurer's approval before issuing bonds or incurring other debt backed by the state and (2) protect its directors, officers, and employees from liability when performing their duties.

As a CHEFA subsidiary, CSLF has the same privileges, immunities, tax exemptions, and other exemptions as CHEFA, but CSLF's liability does not extend beyond its assets, revenue, and resources. CSLF continues to exercise its powers under existing law. To help CSLF exercise those powers, CHEFA may support CSLF's operations and receive compensation for doing so. Such support includes space, equipment, supplies, and employees.

CHEFA and CSLF must take any actions necessary to maintain CSFL's status as a federal tax-exempt organization. The bill does not otherwise change CHEFA's powers and responsibilities.

Board of Directors. The bill eliminates CSLF's 14-member board on July 1, 2014 and replaces it with CHESLA's nine-member board. CSFL's board currently consists of state higher educational officials, people with financing and accounting backgrounds, and legislative appointees. CHESLA's board includes state officials, CHEFA board members, and an expert in state and municipal finances. Members of the reconstituted board must comply with the State Code Of Ethics for Public Officials, which, among other things, prohibits having a financial interest in, or engaging in, any business, employment, transaction, or professional activity that conflicts substantially with the proper discharge of their duties.

The bill authorizes CHEFA's board to remove any member from CSLF board for misfeasance, malfeasance, or neglect of duty. The chairperson of CHESLA's board must serve as the chairperson of CSLF's reconstituted board, and that board must elect a vice chairperson from its members. The board members are not compensated for their service, but must be reimbursed for expenses. They must also take the oath of office prescribed in Article XI of the State Constitution.

The board must adopt CSLF's bylaws and hold regular and special meetings. A majority of the members constitutes a quorum for conducting business, and a majority of those present at these meetings must decide matters, unless the bylaws require otherwise. The board may elect an executive committee to conduct CSLF's business in between board meetings. The committee may consist of up to four members.

The reconstituted CSLF board may distribute any excess fund to CHEFA or its subsidiaries (currently, CHESLA is the only subsidiary) for providing financial assistance to qualified students attending higher education institutions. The assistance includes financial literacy education and loans, scholarships, and grants.

CSLF's board may appoint CSLF's executive director, who must be a CHEFA or CHESLA employee, but serves at CSLF board's pleasure. The director's duties include supervising CSLF activities; keeping a record of CSLF proceedings; and maintaining its books, documents, and papers. The director, like the board members, must comply with the State Code Of Ethics for Public Officials.

The statutory protections from liability apply to CHEFA and CHESLA officers, directors, designees and employees who are appointed as CSFL members, directors, or officers. They also apply to CHEFA employees appointed as CSFL officers. These appointed officials are not personally liable for CSFL's debts, obligations, or liabilities. CSLF must, and CHEFA may, protect, save harmless, and indemnify them.

EFFECTIVE DATE: July 1, 2014

§§ 44 & 45 — MASHANTUCKET PEQUOT AND MOHEGAN FUND

Under current law, $135 million of the Indian gaming revenue the state receives from the Mashantucket Pequot tribe is transferred to the Mashantucket Pequot and Mohegan Fund and distributed by the Office of Policy and Management (OPM) for grants to towns. The bill eliminates the $135 million transfer and instead, each fiscal year beginning with FY 15, requires the transfer to equal the appropriations to the fund for the grants.

Beginning with the close of FY 15, at the close of each fiscal year, the bill requires the (1) OPM secretary to certify to the comptroller the amount he withheld from grants to a municipality and (2) comptroller to deposit the withholding into the General Fund. By law, the OPM secretary can withhold up to $4,000 a year from each municipality that fails to send the state's portions of fees the municipality collects from each applicant for a planning, wetlands and watercourse, and coastal permit.

EFFECTIVE DATE: July 1, 2014

§ 46 — POLICE TRAINING COURSE

The bill requires police basic training programs conducted by the State Police, Police Officer Standards and Training Council, or municipal police departments to include a course on handling incidents involving people affected with a serious mental illness. It also requires review training conducted by them to make provisions for such a course.

EFFECTIVE DATE: October 1, 2014

§ 47 — DRY CLEANING ESTABLISHMENT REMEDIATION PROGRAM

The bill eliminates the transfer of funds from the dry cleaning remediation account to the Department of Economic and Community Development (DECD) to cover DECD's administrative costs for the Dry Cleaning Establishment Remediation program. Under current law,

DECD receives annually from the account the greater of $100,000 or 5% of the account's maximum balance in the previous year.

The program provides grants for eligible dry cleaning businesses to prevent, contain, and remediate pollution from hazardous chemicals the businesses use. It is funded through a 1% surcharge on dry cleaning gross retail receipts.

EFFECTIVE DATE: July 1, 2014

§§ 48-54 & 258 — RENTAL REBATE PROGRAM

PA 13-234, among other things, (1) transferred administration of the state's rental rebate program for the elderly and people with total and permanent disabilities from the OPM to the Department of Housing (DOH) and (2) limited eligibility to individuals that received a rebate in calendar year 2011. It also made conforming changes related to this transfer, including (1) establishing an appeals procedure within DOH and (2) requiring DOH to report annually to the governor and legislature on the program.

The bill restores the program to its status prior to July 1, 2013, the date the applicable sections of PA 13-234 took effect, by (1) returning administration of the rental rebate program to OPM, (2) eliminating the requirement that eligible rebate applicants must have received a rebate in calendar year 2011, and (3) making numerous conforming changes. However, the bill retains provisions in PA 13-234 (1) extending the period, from 90 to 120 days, for approving payments to municipalities and forwarding them to the comptroller and (2) requiring the DSS commissioner to disclose information to DOH (now OPM) for purposes of administering the rental rebate program.

Additionally, under the bill, if the OPM secretary determines a renter was overpaid, he may reduce the amount of subsequent rebates to recoup the amount of the overpayment. Aggrieved claimants have the right to appeal the secretary's decision.

EFFECTIVE DATE: Upon passage, and applicable to rebate applications made on or after April 1, 2014

§ 55 — ABANDONED MEDALS IN A SAFE DEPOSIT BOX

By law, a banking or financial institution in possession of abandoned personal property obtained from a safe deposit box or other safekeeping repository must sell the property and give the state treasurer the sale proceeds, minus any charges that may be lawfully withheld. The bill creates an exception to the requirement for military medals. These medals may not be sold. For abandoned property subject to the requirement, the bill requires the holder to give the treasurer any records she deems appropriate.

The bill requires banks or financial institutions to transfer military medals presumed abandoned to the Department of Veterans' Affairs (DVA) using treasurer-approved procedures. The treasurer and DVA commissioner must enter into a memorandum of understanding on how to handle the medals. The DVA must hold the medals in custody. The treasurer may make any information she obtains about abandoned property, including any photograph or other visual depiction of the military medals, but excluding Social Security numbers, available to the public to help identify the original owner or his or her heirs or beneficiaries.

EFFECTIVE DATE: July 1, 2014

§ 56 — SCHOOL BUILDING PROJECTS ADVISORY COUNCIL

The bill increases the membership of the School Building Projects Advisory Council by two members, from five to seven. In addition to the three members he already appoints, the governor appoints the two new members (the OPM secretary and the DAS commissioner, or their designees, are the remaining members). One new member must have school safety experience and the other must have State Building Code administration experience. By law, the council is required to (1) develop model blueprints for new school building projects that comply with industry standards and the school safety infrastructure standards; (2) conduct studies, research, and analyses; and (3) make recommendations for improvements to the school building projects processes to the governor and the legislature.

EFFECTIVE DATE: Upon passage

§§ 57-65, 210, & 259 — SOLDIERS', SAILORS', AND MARINES' FUND (SSMF)

By law, SSMF is a trust fund, invested by the state treasurer that uses the interest from its investment to provide certain benefits to qualified veterans and their families.

PA 13-247, §§ 121-122, transfers the SSMF administration from a state agency (of the same name) to the American Legion on July 1, 2014. The state treasurer will continue to serve as the fund's trustee and must invest the portions of the fund that are not required for disbursement.

§ 57 — Fund Operation

The bill allows the fund's principal, to the extent that interest accumulations are not enough, to pay for the allowable veterans' benefits. It also eliminates the (1) requirement that the treasurer keep a $100,000 reserve of the interest accumulations in her custody for contingent purposes and (2) authorization for the American Legion to use up to $300,000 of the interest accumulation to administer the fund as long as no additional amount is used for maintaining the legion.

Under the bill, the treasurer must annually disburse at least $2 million to the American Legion. The disbursement must be made initially from the fund's interest accumulations. If the accumulations are less than $2 million, the treasurer must disburse an amount of the fund's principal to equal the difference. The American Legion must use this money to provide the veterans' benefits. It may not be used for administrative or operating expenses and any unused funds must be added back to the fund principal at the end of each fiscal year.

The bill also requires the American Legion to promptly turn over all gifts, bequests, and donations received to support the SSMF to the treasurer, who must add it to the fund's principal.

EFFECTIVE DATE: July 1, 2014

§ 58 — Public Availability of Fund Information

Current law allows the SSMF administrator to make a copy of the fund's regulations available at each town clerk's office. The bill instead allows the administrator to make available online the regulations and the American Legion bylaws.

EFFECTIVE DATE: July 1, 2014

§ 59 — SSMF Denial Hearing

The bill increases, from 10 to 15 days, the amount of time an applicant denied aid has to make a written request to the administrator by registered mail for a hearing on the denial.

Under the bill, the administrator may make an audio or audiovisual recording of the hearing instead of a transcript.

EFFECTIVE DATE: July 1, 2014

§ 60 — Denial Appeals Board

Under current law, anyone denied aid by the administrator may appeal the decision to a review board composed of the adjutant general or his designee, attorney general or his designee, and the DVA commissioner or her designee. The bill replaces this board with at least three American Legion State Fund Commission members as specified by the American Legion bylaws.

EFFECTIVE DATE: July 1, 2014

§ 61 — Expanded Fund Uses

The bill expands the allowable uses of the SSMF's funds to include furnishing (1) temporary income; (2) shelter; and (3) expenses related to food, wearing apparel, or shelter. Current law allows funds to be used to provide benefits such as food, clothing, medical, surgical, and funeral assistance to needy wartime veterans and their families.

The bill also eliminates the requirement that the American Legion treasurer report to the governor and the General Assembly during January, April, July, and October for all money disbursements made

during the preceding three months.

EFFECTIVE DATE: July 1, 2014

§ 62 — Independent Fund Audit

The bill increases the frequency with which the American Legion must have an independent audit. It does so by requiring an audit annually by January 15 instead of biennially on the same date.

It also limits the audit to SSMF expenditures by eliminating the requirements that the audit report include (1) a detailed description of the fund investments; (2) a description of the investment returns, including interest, dividends, realized capital gains and unrealized capital gains organized by investment type; (3) the current year's fund balance, interest earned for the current year, and the subsequent year's estimated interest earned; and (4) any other information the treasurer requires.

The bill instead requires the audit report to include (1) a list of allowed expenses that describes the type, assistance amount, and the number of recipients for each monthly expenditure; (2) a detailed description of the American Legion's administrative and operating expenditures for administering the fund; and (3) the names, titles, and compensation of the fund's administrative staff.

Current law requires the American Legion to submit the audit report, within seven days of receiving it, to the treasurer and Finance Committee. The bill instead requires the legion to submit the report, within the same time period, to the (1) Auditors of Public Accounts, (2) OPM, and (3) Appropriations Committee. By law, this report must be submitted to the Veterans' Committee.

Under the bill, the American Legion must make the report available to the public in a paper format. By law, the legion must keep the report on an electronic format.

EFFECTIVE DATE: July 1, 2014

§§ 63-65 — SSMF Operations Transfer to American Legion

Equipment and Documents. Under the bill, on June 30, 2014, all SSMF (1) furniture, equipment, and supplies must be transferred to the American Legion at no cost to them and (2) documents must be retained by the state, in accordance with the state's record retention requirements, unless the state librarian allows the fund administrator to retain temporary custody of the documents, subject to any of his conditions.

Office Space. The bill allows the American Legion to use office space in state-owned or –leased buildings subject to reasonable office rent or lease costs, with the Department of Administrative Services' (DAS) approval. On or after July 1, 2014, with DAS and OPM approval, the American Legion must not be charged for offices in locations where the space was provided on the same basis as of June 30, 2014.

CORE-CT. The bill allows those American Legion personnel with CORE-CT access on June 30, 2014 to continue to have such access, with the comptroller's approval, during FY 15 for an orderly transition of accounting, human resources, payroll, and other functions. CORE-CT is the statewide accounting and personnel system.

EFFECTIVE DATE: July 1, 2014

§ 210 — FY 15 SSMF Appropriations

The bill prohibits, during FY 15, a reduction of the $635,000 appropriations to DVA for SSMF administration.

EFFECTIVE DATE: Upon passage

§ 259 — Expenses Incurred with Using Certain Premises

The bill eliminates the provision that allows the expenses the state incurred in connection with the supervision, care, and control of the premises used by the SSMF administrator to be charged against the fund's interest.

EFFECTIVE DATE: July 1, 2014

§ 66 — HEALTH AND WELFARE FEE

The bill requires the annual health and welfare fee paid by each (1) domestic insurer and health care center doing health insurance business in Connecticut, (2) third party administrator that provides administrative services for self-insured health benefit plans, and (3) exempt insurer to be deposited in the Insurance Fund, instead of the General Fund. The bill requires that the health and welfare fee be identified as such on the annual statements sent by the insurance commissioner to each applicable entity.

It also requires that the health and welfare fee assessment be adjusted upwards or downwards by the actual expenditures from the prior fiscal year. The fee is used for several DPH immunization programs.

EFFECTIVE DATE: July 1, 2014

§ 67 — PUBLIC UTILITIES REGULATORY SETTLEMENTS WITH SUPPLIERS

The law allows the Public Utilities Regulatory Authority (PURA) to (1) impose civil penalties on electric suppliers, among other entities, that violate the laws on utilities and (2) enter into settlement agreements with violators. The bill requires that the amount of any settlement executed prior to June 30, 2014, between the office of the Attorney General and an electricity supplier be deposited into a separate non-lapsing account to fund activity by PURA for expenses relating to consumer assistance, consumer education, and enforcement activity relating to electricity suppliers.

PURA must obtain the OPM secretary's approval to access money in the account and can only use the money for the purposes, in the amounts, and at such times as approved by the secretary.

EFFECTIVE DATE: Upon passage

§ 68 — REPORTING ON THE CONNECTICUT STATE UNIVERSITY SYSTEM

The bill requires the Board of Regents for Higher Education (BOR)

to report to legislative committees and also submit monthly written reports to them on four initiatives related to the Connecticut State University System (CSUS). Specifically, BOR must report on expenditures and programming related to:

1. developmental education, (a type of remedial academic support);

2. the Go Back to Get Ahead program, established under this bill to encourage individuals to return to school and earn a degree by offering up to three free three-credit courses;

3. the state's early college/dual enrollment program; and

4. the transformation of the CSUS.

The bill requires BOR to appear twice before the Higher Education and Appropriations committees to report on these topics by September 1, 2014 and again by December 1, 2014. It also requires BOR to submit monthly written reports on these topics to these committees and OPM by October 1, 2014 and ending June 1, 2015.

EFFECTIVE DATE: Upon passage

§§ 69-70 — FALL PREVENTION PROGRAM OVERSIGHT AND DOA

A 2013 law transferred oversight of DSS' Fall Prevention Program to the DOA (PA 13-125). The bill makes conforming changes. By law, the program must (1) promote and support fall prevention research; (2) oversee research and demonstration projects; and (3) establish, in consultation with the DPH commissioner, a professional education program on fall prevention for healthcare providers.

EFFECTIVE DATE: Upon passage

§ 71 — HOUSING SUBSIDIES

Current law permits the mental health and addiction services (DMHAS) commissioner, within available appropriations, to provide subsidies to people who receive DMHAS services and require supervised living arrangements. The bill specifies that such subsidies

are for people who qualify for supportive housing under the state's permanent supportive housing initiative, which the department operates in collaboration with several other state agencies.

The bill also gives the DMHAS commissioner the authority to permit agencies who distribute these subsidies on the department's behalf to use any unspent money for the same purpose in the following fiscal year.

SB 364, which passed both the House and Senate, adds to the agencies with whom DMHAS must collaborate in administering the supportive housing initiative and gives the agencies more discretion in determining eligibility under the program.

EFFECTIVE DATE: Upon passage

§ 72 — SECURITY DEPOSIT GUARANTEE PROGRAM

By law, DOH, through its Security Deposit Guarantee Program and within available appropriations, must provide security deposit guarantees (payment for any damages that occur) to financially eligible people living in emergency housing or receiving a government rental subsidy. The bill requires the DOH commissioner to prioritize providing these guarantees to eligible veterans. The law allows her to establish priorities for providing guarantees to eligible applicants to administer the program within available appropriations.

EFFECTIVE DATE: July 1, 2014

§ 73 — CONNECTICUT HOME CARE PROGRAM FOR ADULTS WITH DISABILITIES (CHCPD) EXPANSION

The bill increases, from 50 to 100, the number of people who may receive services through CHCPD. CHCPD, a state-funded pilot program administered by DSS, provides home- and community-based services to certain people with disabilities as an alternative to nursing home care.

EFFECTIVE DATE: July 1, 2014

§ 74 — MEDICAID OVER-THE-COUNTER DRUG COVERAGE EXPANSION

The bill expands the list of over-the-counter drugs that DSS may pay for through its medical assistance programs to include those that must be covered as essential health benefits under the federal Affordable Care Act (ACA), including drugs rated "A" or "B" in the current U.S. Preventive Services Task Force (USPSTF) recommendations for people with specific diagnoses (see *Background*). Such drugs include (1) aspirin for men age 45 to 79 and women age 55 to 79 to prevent cardiovascular disease and (2) folic acid for women who are pregnant or capable of pregnancy. The law generally bans DSS from paying for over-the-counter drugs, with the following exceptions:

1. over-the-counter drug coverage through the Connecticut AIDS Drug Assistance Program (CADAP),
2. insulin or insulin syringes,
3. nutritional supplements for people who (a) must be tube fed or (b) cannot safely get nutrition in any other form, and
4. smoking cessation drugs.

EFFECTIVE DATE: Upon passage

Background — USPSTF

The USPSTF is an independent panel of primary care providers with expertise in prevention and evidence-based medicine. It develops recommendations for primary clinicians and health systems based on scientific evidence reviews of clinical preventive health care services. The task force assigns preventive services it recommends a grade of "A" (a high certainty that the net benefit is substantial) or "B" (a high certainty that the net benefit is moderate or a moderate certainty that the net benefit is moderate to substantial.)

Since September 23, 2010, the ACA has required new individual and group health insurance plans to provide full coverage for preventive

care and screenings that the USPSTF recommends, including vaccinations and cancer screenings (42 U.S.C.A. § 300gg-13(a)).

§ 75 — MANUFACTURERS' DISCLOSURE REQUIREMENTS FOR PAYMENTS TO APRNS

PA 14-12 requires manufacturers of covered drugs, devices, biologicals, and medical supplies to report on payments or other transfers of value they make to advanced practice registered nurses (APRNs) practicing in Connecticut. The bill requires manufacturers to report the information to DCP, not DPH, quarterly in the form and manner the commissioner prescribes. The bill makes the first report due by July 1, 2015, instead of January 1, 2015. It also allows the DCP commissioner, instead of the DPH commissioner, to publish the information on his department's website.

Unchanged by the bill, the law applies to manufacturers of drugs, devices, biologicals, or medical supplies that are covered by (1) Medicare or (2) the state Medicaid or Children's Health Insurance Program plan, including a plan waiver. The law does not apply to transfers made indirectly to an APRN through a third party, in connection with an activity or service in which the manufacturer is unaware of the APRN's identity.

EFFECTIVE DATE: October 1, 2014

§ 76 — LIMITATION ON MEDICAID ESTATE RECOVERY

Under current law, the state has a claim against the estates of former public assistance recipients, including Medicaid recipients, to recover the cost of assistance provided. The bill exempts, to the extent federal law allows, Medicaid recipients in the Medicaid Coverage for the Lowest Income Populations (MCLIP) program from this provision. The exemption applies to services provided on or after January 1, 2014.

For this population, federal law requires states to recover costs from the estates of Medicaid recipients who, at age 55 or older, received (1) nursing facility services, (2) home- and community-based services, or (3) related hospital and prescription drug services. Federal law allows states to recover any other services under the state Medicaid plan,

except for services related to Medicare cost-sharing.

MCLIP was established pursuant to the federal Affordable Care Act's expansion of the Medicaid program to cover childless adults with income up to 138% of the federal poverty limit (FPL) (133% of FPL with a 5% income disregard). In Connecticut, MCLIP participants are covered under HUSKY D.

EFFECTIVE DATE: Upon passage

§ 77 — HOSPITAL FACILITY FEES

The bill requires the comptroller to study and report on how facility fees and the total fees hospitals or health systems charge or bill for outpatient hospital service impact the state employee health insurance plans. It defines a "facility fee" as any hospital or health system fee charged for outpatient services provided in a facility that it owns or operates that is (1) separate and distinct from the fee charged for providing professional medical services and (2) intended to compensate the hospital or health system for its operational expenses. A "health system" is (1) a parent corporation of one or more hospitals and any entity affiliated with the parent corporation through ownership, governance, membership, or other means, or (2) a hospital and any entity affiliated with it through ownership, governance, membership, or other means.

By December 1, 2014, the bill requires the comptroller to analyze the fees' impact on the state employee plans. The analysis must include at least five service types or categories for which (1) hospitals or health services charge facility fees or (2) the total fees charged by a hospital or health system exceed those charged by other medical service providers for comparable services.

By March 1, 2015, the comptroller must determine the amount of facility fees and total fees charged by hospitals or health systems for the selected service types or categories, on an aggregate basis and by individual hospitals and health systems. The comptroller must make this determination in collaboration with insurers or third-party

administrators that issue or administer the state employee health insurance plan. He must also determine the fees' appropriateness and reasonableness using criteria that includes:

1. a comparison of a typical facility fee in proportion to the professional fee charged by a medical service provider,

2. a comparison of the total fees charged by a provider before and after the provider affiliated with a hospital or health system, and

3. the extent to which the facility fee or any increase in total fees charged by a hospital or health system is associated with improving enrollees service and outcomes.

Lastly, by July 1, 2015, the comptroller must determine the feasibility of removing fees the comptroller deems inappropriate or unreasonable.

By October 1, 2015, the bill requires the comptroller to submit a report on his analysis and determinations to the Governor, General Assembly, and Health Care Cost Containment Committee (HCCCC). The report must also include how limiting facility fees or total fees would affect the state employee health insurance plan and its enrollees.

The bill allows the comptroller to consult with the HCCCC to implement any of these requirements. (HCCCC is a state labor and management committee that exists under a collective bargaining agreement with the State Employees' Bargaining Agent Coalition (SEBAC).)

EFFECTIVE DATE: Upon passage

§ 78 — DSS ANALYSIS

The bill requires DSS to analyze, by November 1, 2014, the cost of providing services under the (1) Connecticut home-care program for the elderly and (2) pilot program to provide home care services to persons with disabilities. The DSS commissioner must (1) include a

determination of necessary reimbursement rates for providers and (2) report, by January 1, 2015, a summary of the analysis to the Appropriations and Human Services committees.

EFFECTIVE DATE: Upon passage

§ 79 — JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE (JJPOC)

The bill establishes the Juvenile Justice Policy and Oversight Committee (JJPOC) to evaluate (1) juvenile justice system policies and (2) the expansion of juvenile jurisdiction to include 16- and 17-year-olds. The bill also establishes specific reporting requirements.

Committee Members and Appointments

The 35-member committee includes:

1. two legislators, appointed one each by the Senate president pro tempore and House speaker;

2. the chairpersons and ranking members of the Appropriations, Children, Human Services, and Judiciary committees, or their designees;

3. the chief court administrator or his designee;

4. a Superior Court judge for juvenile matters, appointed by the chief justice;

5. the Judicial Branch's court support services division (CSSD) executive director or his designee;

6. the Superior Court operations division's executive director or his designee;

7. the chief public defender or her designee;

8. the chief state's attorney or his designee;

9. the commissioners of the departments of (a) Children and Families (DCF), (b) Correction (DOC), (c) Education (SDE), and

(d) Mental Health and Addiction Services (DMHAS), or their designees;

10. the Connecticut Police Chiefs Association president or his designee;

11. two child or youth advocates, appointed one each by the JJPOC's chairpersons;

12. two parents or parent advocates, appointed one each by the Senate and House minority leaders (at least one of whom must be the parent of a child who has been involved with the juvenile justice system);

13. the Child Advocate or her designee; and

14. the OPM secretary or his designee.

All appointments must be made within 30 days after the bill passes and any vacancies must be filled by the appointing authority. All committee members must serve without compensation, except for expenses incurred in the performance of their duties.

The OPM secretary, or his designee, and a General Assembly member, selected jointly by the Senate president pro tempore and the House speaker from among the members serving on JJPOC, must chair the committee. The chairpersons must schedule and hold the first meeting within 60 days after the bill passes.

Reporting Requirements

The bill requires JJPOC to submit specific reports to the Appropriations, Children, Human Services, and Judiciary committees and the OPM secretary by January 1, 2015, July 1, 2015, and quarterly from then until January 1, 2017. Each report must include specific recommendations to improve outcomes and a timeline by which specific tasks or outcomes must be achieved.

JJPOC must (1) complete its duties after consultation with one or more organizations that focus on relevant children and youths issues,

such as the University of New Haven and any of the university's institutes and (2) work in collaboration with any results first initiative implemented under law.

January 1, 2015 Report. Under the bill, JJPOC must, by January 1, 2015, submit a report on the following:

1. recommendations on any statutory changes concerning the juvenile justice system to (a) improve public safety, (b) promote the best interests of children and youths who are under the supervision, care, or custody of the DCF commissioner or CSSD, (c) improve transparency and accountability with respect to state-funded services for children and youths in the juvenile justice system with an emphasis on goals identified by the committee for community-based programs and facility-based interventions, and (d) promote the efficient sharing of information between DCF and the Judicial Branch to ensure regular collection and reporting of recidivism data and promote public welfare and public safety outcomes related to the juvenile justice system;

2. a recommended definition of "recidivism," to be used by state agencies with juvenile justice system responsibilities, and recommendations to reduce recidivism for children and youths in the juvenile justice system;

3. short-term goals to be met within six months, medium-term goals to be met within 12 months and long-term goals to be met within 18 months, for JJPOC and state agencies with juvenile justice system responsibilities to meet, after considering existing relevant reports related to the juvenile justice system and any related state strategic plan;

4. the impact of legislation that expanded the jurisdiction of the juvenile court to include persons aged 16 and 17, as measured by the following: (a) any change in the average age of children and youths involved in the juvenile justice system, (b) the types of services used by designated age groups and the outcomes of

those services, (c) the types of delinquent acts or criminal offenses that children and youths have been charged with since the enactment and implementation of the legislation, and (d) the gaps in services the committee identifies with respect to children and youths involved in the juvenile justice system, including those who turn age 18 after being involved in the juvenile justice system, and recommendations to address such gaps (Connecticut raised the age of juvenile court jurisdiction to include 16-year-olds on January 1, 2010 and 17-year-olds on July 1, 2012 (PA 07-4, June Special Session, and PA 09-7, September Special Session)); and

5. identified strengths and barriers that support or impede the educational needs of children and youths in the juvenile justice system, with specific recommendations for reforms (JJPOC must establish a timeframe for review and reporting on this initiative).

July 1, 2015 Report. The bill requires JJPOC, by July 1, 2015, to submit a report on the following:

1. the quality and accessibility of diversionary programs available to children and youths in the state, including juvenile review boards and services for a child or youth who is a member of a family with service needs (FWSN) (see BACKGROUND);

2. an assessment of the system of community-based services for children and youths who are under the supervision, care, or custody of the DCF commissioner or CSSD;

3. an assessment of the congregate care settings that are operated privately or by the state and have housed children and youths involved in the juvenile justice system in the past 12 months;

4. an examination of how SDE and local boards of education, DCF, DMHAS, CSSD, and other appropriate agencies can collaborate through school-based efforts and other processes, to reduce the number of children and youths who enter the juvenile justice system as a result of being a member of a FWSN or convicted as

delinquent;

5. an examination of practices and procedures that result in disproportionate minority contact within the juvenile justice system ;

6. a plan to require all facilities and programs that are part of the juvenile justice system and are operated privately or by the state provide results-based accountability; and

7. an assessment of the number of children and youths who, after being under DCF's supervision, are convicted as delinquent.

The bill requires JJPOC to establish a timeframe for review and reporting regarding the responsibilities outlined above.

JJPOC must also, by July 1, 2015, submit a report on an assessment of the overlap between the juvenile justice system and the mental health care system for children.

Ongoing Quarterly Reports. The bill requires JJPOC to submit quarterly reports on the progress of its goals and measures starting by July 1, 2015 until January 1, 2017.

EFFECTIVE DATE: Upon passage

Background — FWSN

"Family with service needs" means a family that includes a child at least age seven and under age 18 who:

1. has without just cause run away from the parental home or other properly authorized and lawful residence;

2. is beyond the control of his or her parent, parents, guardian, or other custodian;

3. has engaged in indecent or immoral conduct;

4. is a truant or habitual truant or who, while in school, continuously and overtly defies school rules and regulations; or

5. is age 13 or older and has engaged in sexual intercourse with a person age 13 or older who is not more than two years older or younger than him or her (CGS 46b-120(5)).

§§ 80-82 — DEPARTMENT OF CORRECTION PROGRAM EVALUATIONS

The bill transfers $330,000 of the Department of Correction's (DOC) Other Expenses FY 15 appropriation to DOC's new Program Evaluation account. DOC must use the money for training, quality assurance, and evaluation of programs to support community reentry and community programs. The money may be used for training programs for staff of (1) private, nonprofit providers; (2) DOC, including parole officers; and (3) other state agencies and municipalities. The Institute for Municipal and Regional Policy at Central Connecticut State University (IMRP) may include the quality assurance findings and program evaluation data in its Results First Initiative project.

The bill also requires the DOC commissioner, by May 31, 2015, to assess the effectiveness of DOC's (1) vocational education programs and (2) Medication Assisted Therapy pilot project for people in DOC custody. Each assessment must consider findings from the Pew-MacArthur Results First Initiative's cost-benefit analysis model with respect to the programs and project. (The Results First Initiative works with states to implement an innovative cost-benefit analysis approach that helps them invest in effective policies and programs.) After conducting the assessment, the commissioner must determine whether any program changes may be implemented to improve the cost-effectiveness of the programs or the project.

By June 30, 2015, the commissioner must report to the Appropriations and Judiciary committees and the Results First Policy Oversight Committee (1) describing each assessment, (2) identifying any program and project changes implemented by DOC as a result of the assessment, and (3) making recommendations that the commissioner deems appropriate concerning additional statutory or program changes that may improve cost-effectiveness.

EFFECTIVE DATE: Upon passage, except for the fund transfer, which is effective July 1, 2014.

§ 83 — EVALUATION OF FAMILY THERAPY PROGRAMS

The bill requires IMRP, by May 31, 2015, to assess the effectiveness of the multidimensional family therapy program administered by the Department of Children and Families (DCF) for persons who are committed to the custody of both DCF and the Judicial Department's Court Support Services Division (CSSD). The assessment must consider findings from the Pew-MacArthur Results First Initiative's cost-benefit analysis model regarding this program. IMRP, DCF, and CSSD must enter into a memorandum of understanding relating to the institute's assessment. After conducting the assessment, IMRP, in consultation with DCF and CSSD, must recommend changes to improve the program's cost-effectiveness.

By June 30, 2015, IMRP must report to the Appropriations, Children's, and Judiciary committees and the Results First Policy Oversight Committee (1) describing the assessment, (2) identifying any program changes implemented by DCF as a result of the assessment, and (3) making any recommendations that IMRP, the DCF commissioner, and CSSD consider appropriate concerning additional statutory or program changes that may improve the program's cost-effectiveness.

EFFECTIVE DATE: Upon passage

§ 84 — EVALUATION OF DCF PROGRAMS

The bill requires IMRP, by May 31, 2015, to assess the effectiveness of juvenile parole services programs administered by DCF for people committed to its custody. The assessment must consider findings from the Pew-MacArthur Results First Initiative's cost-benefit analysis model regarding these programs. After conducting the assessment, the institute, in consultation with DCF, must recommend program changes that may be implemented to improve the programs' cost-effectiveness.

By June 30, 2015, the institute must report to the Appropriations and Children's committees and the Results First Policy Oversight Committee (1) describing the assessment, (2) identifying any program changes implemented by DCF as a result of the assessment, and (3) making any recommendations that the institute and the DCF commissioner consider appropriate concerning additional statutory or program changes that may improve the programs' cost-effectiveness.

EFFECTIVE DATE: Upon passage

§ 85 — FAMILY VIOLENCE MEDIATION PILOT PROGRAM

The bill requires the Judicial Department, within available appropriations, to establish a family violence mediation pilot program on the juvenile docket in two judicial districts for children who commit delinquent acts of family violence. Mediation services may be provided by private agencies under contract with the department's Court Support Services Division (CSSD).

By (1) July 1, 2015, the bill requires CSSD, within available appropriations, to evaluate the program and the feasibility of expanding it to other districts and (2) July 15, 2015, the executive director to report on the evaluation to the Judiciary Committee and the Juvenile Justice Policy and Oversight Committee (see § 79).

Parties to an alleged delinquent act involving family violence may agree to participate in mediation with an impartial third party approved by the Superior Court to work toward a disposition satisfactory to them. A juvenile probation officer, or the court, upon motion of any party, may refer cases involving children who commit such acts to the program.

Any child participating in the program must be supervised by a juvenile probation officer. When the court receives a report from the probation officer that the child's progress was satisfactory and mediation successful, it must dismiss the charges pertaining to the delinquent act and order records of the charges erased.

If the probation officer gets a report that mediation was

unsuccessful or the child no longer wants to participate in the program, or has failed to comply with the terms of the mediation agreement, he or she must notify the prosecutor in charge of the case, and the prosecutor may initiate delinquency or criminal proceedings against the child.

If a child is under the supervision of the Department of Children and Families (DCF) when his or her case is referred to the program, the court or probation officer must notify DCF of the referral.

EFFECTIVE DATE: July 1, 2014

§ 86 — CLEAN WATER FUNDING

The bill makes an eligible water quality project for a particular town eligible for five types of Clean Water funding and increases the funding amount by 5% for design and construction costs. (Presumably the town will only be awarded one type of funding.) It specifies the project is for a municipality with, in 2012, a population of between 40,000 and 42,000 and a municipal sewer system providing a regional treatment capacity to at least five abutting municipalities with less than 5,000 people each (i.e., Norwich).

Under the bill, a loan is available for the remainder of the project, but the loan must not exceed the total cost.

The Clean Water Fund provides grants and loans to municipalities, financed by a combination of federal funding, state general obligation bonds for the grant portion, and state revenue bonds for the loan portion. By law, an eligible water quality project includes the planning, design, development, construction, repair, extension, improvement, remodeling, alteration, rehabilitation, reconstruction, or acquisition of a DEEP-approved water pollution control facility.

EFFECTIVE DATE: July 1, 2014

§§ 87 & 88 — HEALTH INSURANCE EXCHANGE

Exchange Assessment or Fee Enforcement

The bill requires the Connecticut Health Insurance Exchange's chief

executive officer to give the insurance commissioner the name of any health carrier (e.g., insurer) that fails to pay any assessment or user fee the exchange charges. The law allows the exchange to charge assessments or user fees to health carriers capable of offering qualified health plans through the exchange. A qualified health plan is one certified as meeting criteria outlined in the federal Affordable Care Act and state law.

The bill requires the commissioner to see that the assessment or user fee law is faithfully executed. It allows him to use all powers granted him by law and all further powers reasonable and necessary to enforce the law (e.g., impose fines, cease and desist orders, or license suspension or revocation). By law, unchanged by the bill, the exchange may impose interest and penalties on a health carrier that is late in paying the assessment or fee.

The bill allows a health carrier aggrieved by the commissioner's administrative action to appeal to New Britain Superior Court in accordance with the Uniform Administrative Procedure Act.

Insurance Commissioner's Authority

By law, unless expressly specified, the state's health insurance exchange laws and the exchange's actions under those laws do not preempt, supersede, or affect the insurance commissioner's authority to regulate insurance in Connecticut. The bill adds that the state's all-payer claims database law and the exchange's actions under it similarly do not preempt, supersede, or affect his authority.

Health Carriers' Compliance with Laws

The bill alters the compliance requirements of health carriers with respect to the exchange. Under current law, health carriers offering qualified health plans in Connecticut must comply with all applicable state health insurance laws and regulations and the insurance commissioner's orders. The bill instead requires such health carriers to comply with all applicable (1) health insurance exchange and all-payer claims database laws and (2) procedures adopted by the health insurance exchange's board of directors.

EFFECTIVE DATE: Upon passage

§§ 89-107 — *SHEFF V. O'NEILL* – 2013 STIPULATION

The bill contains numerous provisions intended to carry out the newest phase of *Sheff v. O'Neill*, the ongoing Hartford school desegregation court case. In December 2013, the state and the *Sheff* plaintiffs reached a new agreement regarding additional efforts to integrate Hartford schools that was formalized in court as a stipulation and order (officially referred to as the Phase III stipulation) (see BACKGROUND).

The bill makes numerous conforming and technical changes to reflect the Phase III stipulation.

§ 89 — Revised Definition of Racial Diversity

The bill provides a revised definition of racial diversity under the interdistrict magnet school law as it applies to *Sheff* magnet schools. Current law requires a magnet school to have at least 25% but no more than 75% minority students, and racial minorities are defined as those whose (1) race is other than white or (2) ethnicity is defined as Hispanic or Latino by the U.S. Census. The bill adds that, for *Sheff* magnets, the enrollment must meet the reduced isolation setting standards of the 2013 stipulation, which means no more than 75% of the students can identify themselves as any part Black/African American or any part Hispanic. Thus, for purposes of *Sheff* magnets, Asians, Alaskan Natives, Native Americans, Native Hawaiians or other Pacific Islanders will not be counted as minorities. This, in turn, makes it somewhat easier to reach the racial goals of *Sheff* because some students who used to count as minority will now count as nonminority.

The new definition also provides that a school that enrolls Hartford-resident minority students through the Open Choice program will be deemed to provide a reduced-isolation setting (see Lighthouse School below).

The bill requires a magnet school governing authority to restrict the

number of students from a participating district enrolling in the magnet school in order to meet the bill's reduced isolation standard. A governing authority may be a board of education, a regional education service center (RESC), an institution of higher education, or a combination of these.

EFFECTIVE DATE: July 1, 2014

§ 89 — Special Magnet School Per-Student Operating Grant

The bill potentially reduces a special, higher state per-student operating grant for one magnet school.

By law, most magnet schools run by RESCs that (1) do not help implement the *Sheff* settlement and (2) enroll 55% or more of their students from a single town receive a state grant of $3,000 annually for each student from that town. The bill reduces the per-student grant for some students at a school, the Thomas Edison Magnet Middle School in Meriden, that receives $8,180 for each student.

The bill maintains the $8,180 grant for students included in the October 1, 2013 student count, but lowers the grant for any additional students enrolled above the October 1, 2013 enrollment number. It also sets different grant numbers for students attending from inside the district and those attending from outside. Table 1 shows the change. (The bill affects a school that began operations in the 2001-02 school year, and for the 2008-09 school year, enrolled between 55% and 80% of its students from a single town, a description that applies only to the Edison Magnet Middle School.)

Table 1: Edison Magnet Middle School Grant Changes

Residency of Students	*Students at or below the Enrollment Count of October 1, 2013*	*Students above the Enrollment Count of October 1, 2013*
Inside the district	$8,180	$3,000
Outside the district	$8,180	$7,085

§ 89 — Payment Schedule for Goodwin College Senior Academy Magnet School

The bill makes a magnet school that uses a trimester school calendar and is operated by a an independent college or university eligible for the same per-student state magnet school grant, $10,443, as other *Sheff* magnets (the Goodwin College Senior Academy magnet school appears to be the only one affected). The school must:

1. begin operations for the school year commencing July 1, 2014,

2. enroll less than 60% of its students from Hartford pursuant to *Sheff*, and

3. enroll students on a trimester basis.

To receive the grant for an individual student, that student must be enrolled for at least two of the three trimesters for the fiscal year ending June 30, 2015.

The bill modifies the payment schedule, based on a trimester school year, for the per-student magnet school grant paid to an independent college or university that operates a magnet school. Under current law, initial payments to magnet school governing authorities must generally be made by September 1 with the remainder paid by May 1. For FY 15 and each following year, the bill requires SDE to pay by the following schedule for the trimester schools: (1) 30% per cent of the grant amount by August 1 based on estimated student enrollment on July 1, (2) 30% by October 1 based on estimated enrollment on September 1, and (3) the balance by May 1 of each fiscal year.

The May payment must be adjusted to reflect actual enrollment in the magnet school for those who have been enrolled for two of three trimesters of the school year. The May payment can be further adjusted for the difference between the total grant received in the prior fiscal year and the revised grant amount calculated for the prior fiscal year in cases where the financial audit submitted by the magnet school governing authority indicates an SDE overpayment.

EFFECTIVE DATE: July 1, 2014

§ 89 — Limit on SDE Expense for Administration

The bill caps at no more than $500,000, the share of the total magnet school appropriation that SDE may retain for evaluation and administration. The new cap is applied to the current law's authorization of up to 0.5% of the amount appropriated for evaluation and administration.

EFFECTIVE DATE: July 1, 2014

§ 89 — Limits on Magnet School Grants for Enrollment Increases After October 1

For FY 15, the bill permits SDE to limit payment to a interdistrict magnet school to an amount the school was eligible to receive based on its enrollment level on October 1, 2013. It permits additional funding for additional students enrolling after October 1 based on priorities the bill establishes. This means student enrollment increases after October 1 will not automatically increase student funding.

The bill requires SDE to prioritize additional magnet school funding as follows:

1. increases in enrollment for a school adding planned new grade levels;

2. increases in enrollment for a school moving into a permanent facility for the school year starting July 1, 2014;

3. increases in enrollment for a school to ensure compliance with the state magnet school law's requirements for racial and economic diversity, special curriculum, and at least a half-time educational program; and

4. new enrollments for a new magnet school starting operations on or after July 1, 2014, to help meet the 2013 *Sheff* stipulation.

§ 90 — Renzulli Gifted and Talented Academy

The bill requires SDE to, within available appropriations, to award a grant of up to $250,000 to the Hartford school district for program development and expansion of the Dr. Joseph S. Renzulli Gifted and Talented Academy to assist the state in meeting the *Sheff* 2013

stipulation goals. The grant is available for FY 15 and each following year. Applications for the grant funds must be submitted annually to the education commissioner when and how he prescribes.

The bill also states that starting with the 2014-15 school year, any student who is not a Hartford resident who applies and is enrolled at Renzulli will be considered enrolled under the state's Open Choice program. The Open Choice program aims to reduce racial isolation by giving districts grants for accepting students from other districts. The bill permits any student accepted into Renzulli, based on the Renzulli's selective admissions policy, to be considered part of Open Choice, regardless of race. This allows the Hartford school district, Renzulli's parent district, to receive a per-student Open Choice grant for any student from outside Hartford who attends the school.

The bill specifies that the grants Renzulli receives under these provisions do not reduce its eligibility for any other state grant to which it may be entitled.

EFFECTIVE DATE: July 1, 2014

§ 91 — Sheff Lighthouse School

The bill creates a program for the Hartford school district to receive an annual grant to convert an existing neighborhood school into a *Sheff* lighthouse school. SDE must, within available appropriations, award an annual grant of $750,000 to Hartford for FY 15 through FY 18 to assist in the development of curricula and staff training for the *Sheff* lighthouse school.

The bill refers to the 2013 *Sheff* stipulation to define the lighthouse schools as schools designated for additional funding and initiatives designed to improve educational outcomes while serving neighborhood or citywide populations. By offering improved programs, the schools aim to stabilize neighborhoods and improve racial integration. The stipulation states that all teachers at the lighthouse school teachers will remain Hartford public school teachers.

The bill requires the lighthouse school to be selected through a

collaborative process approved by the Hartford board of education and education commissioner. (Hartford has already started the process.)

The bill also states that, starting with the 2014-15 school year, any student who is not a Hartford resident can apply to enroll in the lighthouse school and, if enrolled, will be considered enrolled under the state's Open Choice program. This means the Hartford school district receives a per-student Open Choice grant for any student who attends the lighthouse school who is not from Hartford.

EFFECTIVE DATE: July 1, 2014

§ 92 — Supplemental Sheff Magnet Transportation Grants

The bill extends specific payment dates for supplemental *Sheff* magnet school transportation grants consistent with payment dates for previous fiscal years. For FYs 14 and 15, SDE must pay up to 50% of the grant by June 30 and the balance by September 1 upon completion of the comprehensive financial review.

EFFECTIVE DATE: July 1, 2014

§§ 93-100 & 105 — Minor and Technical Changes

The bill specifies that previously authorized grants for leasing space and purchasing equipment for schools under *Sheff* can also be used for renovating space.

It also makes technical changes related to the new *Sheff* stipulation.

EFFECTIVE DATE: July 1, 2014

§§ 101-104 — Sheff School Construction Reimbursement Rate Changes and Authorization for Education Commissioner to Pay CREC's Local Construction Share

The bill authorizes SDE to pay 100% of the reimbursable construction costs for three new *Sheff* magnet schools. The schools are Greater Hartford Academy of the Arts Elementary Magnet School, Greater Hartford Academy of the Arts Middle Magnet School, and the Two Rivers Magnet High School; all existing schools that are moving

to new facilities.

It authorizes a 95%, rather than an 80%, state reimbursement rate for three magnet schools planned by the Capital Region Education Council (CREC). By law, magnet schools receive an 80% reimbursement rate. Towns, regional districts and regional education service centers, like CREC, are reimbursed by the state for eligible school construction costs.

By law, towns and districts pay a share of school construction costs. The bill authorizes the education commissioner to pay both the state and local shares of eligible project cost for the three CREC schools mentioned above. The bill adds this authorization to an existing special act provision that gave the commissioner the same authority for six other CREC projects.

EFFECTIVE DATE: Upon passage, except for the authorization regarding the local share of school construction costs, which is effective July 1, 2014.

§§ 106 & 107 — Capital Startup Grant Liens or Repayments

The bill exempts CREC from lien or repayment of capital startup cost grants of up to $17 million in one previous school construction project authorization and up to $7.5 million in another.

Both grant authorizations were to purchase buildings or portable classrooms, lease space, and purchase equipment, including, computers and classroom furniture.

EFFECTIVE DATE: Upon passage

§ 108 — CAP ON STATE TRANSPORTATION GRANTS

The bill extends a cap on state transportation formula grants to school districts and RESCs for two more fiscal years, through June 30, 2015. The cap requires grants to be proportionately reduced when the state budget appropriations do not cover the full amounts required by the statutory formula. This grant was not capped last year when a number of other education grants were. In practice, SDE has operated

this current fiscal year as if the cap were in place.

EFFECTIVE DATE: Upon passage

§ 109 — PRIORITY SCHOOL DISTRICT SUPPLEMENTAL GRANTS

Priority school districts (PSD) are districts with high levels of student poverty and low student scores on standardized tests. By law, they are eligible for certain additional state aid. The bill updates two existing provisions for supplemental grants under the PSD program.

Under current law, there is an SBE allocation of $2,929,364 for FY 13. The bill establishes an allocation of $2,925,481 for FY 14 (the current year) and $2,882,368 for FY 15. As with existing law, the SBE must allocate a share of these supplemental funds to each priority district in proportion to its regular PSD grant. The money is in addition to all other PSD grants each district receives. The bill specifies that a PSD can carry forward from FY 14 to FY 15 any unexpended PSD funds allocated to it under the bill after May 1, 2014.

The bill extends another provision for supplemental priority district funding for $2,610,798 to FY 15. Under current law this provision expired at the end of FY 13.

EFFECTIVE DATE: Upon passage

§§ 110 & 111 — TECHNICAL CHANGES

These sections make technical changes.

EFFECTIVE DATE: Upon passage

§ 112 — CHANGES TO CHARTER SCHOOL LAW

The bill changes the formula for determining how much funding a local or regional board of education must provide to a local charter school it sponsors. Under current law, the funding support from the board is the product of the number of students and the per-pupil cost for the prior year minus the state reimbursement for special education excess costs. The bill changes the second part of the equation to the per-pupil cost for the fiscal year two years before the year the board

funding will be provided and does not subtract the reimbursement received under the special education excess cost grant.

It also changes the definition of per-pupil cost for the local or regional board from net current expenditure divided by average daily student membership to current program expenditures divided by number of resident students.

Finally, it changes the date, from April 15 to April 1, by which the state must make the final installment of its scheduled four-part payment to a local charter school for the per-student annual grant. Currently, there are no local charter schools in Connecticut but one has been approved to open in New Haven this fall.

EFFECTIVE DATE: Upon passage

§§ 113 & 114 — ALLIANCE DISTRICT FUNDS: NONSUPPLANT PROVISION AND MAGNET SCHOOL TUITION

The bill explicitly requires state education aid for an alliance districts to be expended for educational purposes only on the authorization of the local board of education in accordance with the law authorizing alliance district funding. This "nonsupplant" provision prevents education funds from being diverted for noneducation purposes.

Alliance districts, the 30 school districts with the lowest district performance index scores, receive increased state education aid and must expend the aid to further the goals of improvement plans approved by SDE.

The bill also authorizes the education commissioner to permit a board of education, as part of its alliance district plan, to use a portion of its alliance funds to pay magnet school tuition for any of its students attending magnets operated by a RESC or the Great Path Magnet operated by Hartford Public Schools at Manchester Community College.

EFFECTIVE DATE: Upon passage

§ 115 — PUBLIC SCHOOL MASTERY TEST DATES

Beginning in the 2013-14 school year, the bill allows students enrolled in grades three through eight and 10 or 11 to take an annual mastery examination in reading, writing, and mathematics during any month of the school year. Current law allows such annual testing only in March or April.

EFFECTIVE DATE: July 1, 2014

§ 116 — MAGNET SCHOOLS DIVERSITY REQUIREMENTS

The bill extends an existing law allowing magnet schools that do not comply with the racial minorities enrollment requirements because of changes in the federal racial and ethnic reporting requirements to remain eligible for magnet grants even if their enrollment data submitted on October 1, 2013 and October 1, 2014 does not meet the enrollment requirements. Current law allowed noncomplying magnets to remain eligible based on enrollment data submitted on October 1, 2011 and October 1, 2012.

It also extends, from January 1, 2013 to January 1, 2015, the deadline for SDE to submit a report to the Education Committee recommending legislation to amend the racial minority enrollment requirements for magnet schools to conform with changes in federal law. The recommendations must reflect the regional demographics of the magnet school programs and the diverse populations attending the magnet schools.

EFFECTIVE DATE: Upon passage

§ 117 — EARLY LITERACY PILOT EXTENSION

PA 11-85 authorized the education commissioner to (1) conduct a pilot study to promote best practices in early literacy and closing academic achievement gaps and (2) identify schools to participate in the study. PA 12-116 extended the pilot through the school year starting July 1, 2013 and delayed the deadline for the commissioner to report on the pilot to the Education Committee from October 1, 2013 to October 1, 2014.

The bill extends the pilot once again through the school year starting July 1, 2015. It also delays the commissioner's reporting deadline on the pilot again to October 1, 2016 and requires the commissioner to submit the report to the Appropriations Committee in addition to the Education Committee.

By law, "achievement gaps," in relation to this study, mean a significant disparity in the academic performance of students among and between (1) racial, ethnic, and socioeconomic groups, (2) genders, and (3) English language learners and students whose primary language is English.

EFFECTIVE DATE: Upon passage

§§ 118 & 119 — PER-STUDENT GRANT AND TUITION FOR REGIONAL AG-SCIENCE CENTERS

The bill increases, from $2,750 to $3,200, the per-student state grant for regional agricultural science and technology centers. For FY 15, as was the case for the previous year, it allows a board of education that operates a center to spend the increased state grant even if it exceeds the total amount budgeted for education. By law, the additional funds cannot be used to supplant local funding.

The bill also lowers, from 62.47% to 59.2%, the maximum percentage of the state's per-student foundation aid that is used to determine the tuition charged to the districts sending students to a center. This lowers the maximum amount of tuition that can be charged from $7,199.67 to $6,822.80. Table 2 displays how the decreasing the percentage lowers the tuition maximum.

Table 2: Maximum Tuition for Regional Ag-Science Centers

	Current Law	*Bill*
Percentage of Foundation	62.47%	59.2%
Foundation	$11,525	$11,525
Maximum Tuition (% of foundation multiplied by foundation amount)	$7,199.67	$6,822.80

EFFECTIVE DATE: July 1, 2014

§§ 120 & 129 — RESTRAINING ORDERS: FAMILY AND HOUSEHOLD MEMBERS

The bill broadens the court's authority in civil restraining order cases, both upon receipt of an application for such an order and at a hearing on the application.

By law, any family or household member (see *Background*) subjected to continuous threat of present physical pain or physical injury, stalking, or a pattern of threatening may apply to the Superior Court for a restraining order. The court may issue an order as it deems appropriate to protect the applicant and any dependent children or other people as it sees fit.

Under current law, the order, whether issued ex parte (i.e., without a hearing) or after a hearing, may include temporary child custody or visitation rights and provisions to protect any animals. It may also prohibit the respondent from:

1. imposing any restraint on the applicant;

2. threatening, harassing, assaulting, molesting, sexually assaulting, or attacking the applicant; or

3. entering the family home or the home of the applicant.

Ex Parte Order

By law, if an applicant alleges an immediate and present physical danger to the applicant, the court, upon receipt of the application, may issue an ex parte restraining order that contains any of the orders described above.

The bill broadens the measures the order may contain when the applicant and respondent are (1) spouses or (2) people who live together who have dependent children in common. If no order exists and the court deems it necessary to maintain the safety and the basic needs of such applicant and the children, it may:

1. prohibit the respondent from taking any action that could result in shutting off necessary utility services or other necessary

services related to the family home or the applicant's home;

2. prohibit the respondent from taking any action that could result in the cancellation or change of health, automobile, or homeowners' insurance policy coverage or designated beneficiary to the detriment of the applicant or any dependent children they have in common;

3. prohibit the respondent from transferring, encumbering, concealing, or disposing of specified property the applicant owns or leases; or

4. require the respondent to temporarily provide the applicant with an automobile, checkbook, health documents, automobile or homeowners insurance, a document needed for proving identity, a key, or other necessary specified personal effects.

Hearing on the Application

Under the bill, at the hearing on the application, if the court grants relief under circumstances as described above under the ex parte provisions, it may order the respondent to:

1. make rent or mortgage payments on the family home or the home of the applicant and their dependent children;

2. maintain utility services or other necessary services related to the family home or the home of the applicant and their dependent children;

3. maintain all existing health, automobile, or homeowners insurance coverage without change in coverage or beneficiary designation; or

4. provide financial support for the benefit of any dependent children, if the respondent has a legal duty to support them and the ability to pay.

These are in addition to orders authorized under current law and those authorized in an ex parte order under the bill.

The bill prohibits the court from entering any financial support order without sufficient evidence of a person's ability to pay, including financial affidavits. And, it allows any amounts not paid or collected under an order to be preserved and collected in a divorce, custody, paternity, or support action.

It specifies that if a new measure, authorized by the bill, is not ordered at the hearing, it may not be entered after that. If such an order is entered at a hearing it cannot be modified and must expire 120 days after the issue date or upon issuance of a superseding order, whichever occurs first.

Specific Language in the Court Order

By law, any civil restraining order that the court makes must include specific language about what violation of the order constitutes 1st degree criminal trespass and the corresponding penalties.

The bill expands the required notice in the court order to also include specific language about what constitutes a criminal violation of a civil restraining order and the corresponding penalties.

EFFECTIVE DATE: January 1, 2015

Background — Family or Household Members

By law, "family or household members" are any of the following, regardless of their ages:

1. spouses or former spouses;

2. parents or their children;

3. people related by blood or marriage;

4. people other than those related by blood or marriage living together or who have lived together;

5. people who have a child in common, regardless of whether they are or have been married or have lived together; and

6. people who are or were recently dating (CGS § 46b-38a).

§ 121 — TASK FORCE

The bill establishes a task force to study service of restraining orders pertaining to family and household members. The study must examine the:

1. policies, procedures, and regulations relating to state marshals serving restraining orders, including methods for their initial notification;

2. length of time available to serve a restraining order;

3. permissible methods of service;

4. effectiveness of the respondent profile information sheet and marshal access to databases containing identifiable respondent information;

5. reimbursement rates for service, including an assessment of other states' reimbursement rates;

6. other states' best practices, if any, with respect to service of restraining orders; and

7. feasibility of expanding the list of persons who can serve restraining orders.

Task Force Members and Appointments

The 16-member task force includes:

1. two members appointed by the Senate president pro tempore (representing the Connecticut Coalition Against Domestic Violence and the chief state's attorney);

2. two members appointed by the Senate majority leader (an advocate for domestic violence victims and a representative of the State Marshal Commission);

3. two members appointed by the Senate minority leader

(representing the Connecticut Police Chiefs Association and the Office of the Chief Public Defender);

4. two members appointed by the House speaker (a domestic violence victim and a representative from the speaker's task force on domestic violence);

5. two members appointed by the House majority leader (a state marshal and a representative of the State Police);

6. two members appointed by the House minority leader (a state marshal and a representative of the legal aid assistance programs in the state);

7. two members appointed by the governor (representing the Connecticut Police Chief's Association and the Office of the Victim Advocate); and

8. two members appointed by the chief court administrator (a Superior Court judge assigned to hear civil matters and a Judicial Branch employee whose duties concern the operations of the Superior Court).

All appointments must be made within 30 days after the bill passes and any vacancies must be filled by the appointing authority.

The House speaker and Senate president pro tempore must select the task force's chairpersons from among its members. The chairpersons must schedule and hold the first meeting within 60 days after the bill passes. The Judiciary Committee's administrative staff must serve as the task force's administrative staff.

Reporting Requirement and Termination

The task force must report its findings and recommendations to the Judiciary Committee by December 15, 2014. It terminates when it submits the report or on December 15, 2014, whichever is later.

EFFECTIVE DATE: Upon passage

§§ 122-128 — INCREASED PENALTY FOR VIOLATING CERTAIN ORDERS

§§ 122-124 — Increased Penalty

Under current law, criminal violation of a protective order, standing criminal protective order, or civil restraining order is a class D felony punishable by imprisonment of up to five years, a fine of up to $5,000, or both.

Under the bill, these crimes become class C felonies and the penalties increase to imprisonment for up to 10 years, a fine of up to $10,000, or both, if the violation of any of these orders involves (1) imposing any restraint on the person or liberty of a person in violation of the order or (2) threatening, harassing, assaulting, molesting, sexually assaulting, or attacking a person in violation of the order.

§§ 127-128 — Required Notice

The bill requires the specific language contained in standing criminal protective orders and certain protective orders to be updated to reflect the penalty increase. The affected protective orders are those related to (1) family violence; (2) stalking, harassment, sexual assault, and risk of injury; and (3) witness harassment.

EFFECTIVE DATE: January 1, 2015

§ 130 — DELETED

§ 131 — DISPOSAL OF UNWANTED MEDICATION

The bill requires the Consumer Protection Department (DCP), in consultation with the Connecticut Pharmacists Association and Connecticut Police Chiefs Association, to develop and implement a program to collect and dispose of unwanted pharmaceuticals (medication). The program must provide for (1) a secure locked box accessible to the public 24 hours a day to drop off unwanted medication anonymously at all local police stations and (2) transporting the medication to a biomedical waste treatment facility for incineration.

The bill requires DCP, within available appropriations, to organize a

public awareness campaign to educate the public about the program and the dangers of unsafe medication disposal. It also allows DCP to adopt implementing regulations.

EFFECTIVE DATE: October 1, 2014

§§ 132 & 133 — PRESCHOOL FOR CHILDREN IN DCF CUSTODY

The bill requires the DCF commissioner to take steps to maximize preschool enrollment for children placed in out-of-home care. Specifically, it requires the commissioner, in consultation with the OEC, to complete the following by January 1, 2015:

1. adopt policies and procedures that maximize the enrollment of eligible preschool-aged children in eligible preschool programs and

2. submit to the Children's, Human Services, Education, and Appropriations committees (a) the adopted policies and procedures and (b) a report that includes various statistics on different categories of eligible preschool-aged children and available preschool program spaces and costs.

The bill defines "preschool-aged child" as one who (1) is aged three to five years, (2) the DCF commissioner places in out-of-home care under a commitment order, and (3) is not enrolled in a preschool program or kindergarten at the time of placement.

It defines "eligible preschool program" as:

1. a school readiness program,

2. a preschool program offered by a local or regional board of education or regional educational service center,

3. a preschool program accredited by the National Association for the Education of Young Children,

4. a Head Start program, or

5. any preschool program the DCF commissioner considers suitable to meet the child's needs.

Report

DCF's report to the legislative committees must contain various statistics about preschool-aged children and analyses of placement options and costs. The statistics must include the number of:

1. eligible preschool-aged children who are and are not enrolled in an eligible preschool program at the time of DCF out-of-home placement under a commitment order;

2. children age birth to three who are placed in out-of-home care by DCF under a commitment order; and

3. eligible preschool-aged children who require special education and related services, and the percentage of such children who have enrolled in a preschool program.

The analyses must address:

1. the availability of spaces in eligible preschool programs in relation to the (a) geographic placement of eligible preschool-aged children and (b) nature of such eligible preschool program and its cost to DCF;

2. eligible preschool programs and transportation options that will minimize DCF costs, including programs (a) that provide transportation or (b) whose geographic proximity to a child's placement is considered within reasonable expectations of the foster parent or caregiver's duties; and

3. a plan to provide priority access to eligible preschool-aged children at state and federally-funded preschool programs.

EFFECTIVE DATE: July 1, 2014 for the adoption of policies and procedures; upon passage for the report requirement.

§ 134 — TEMPORARY FAMILY ASSISTANCE (TFA) RECIPIENT EDUCATION

By law, DSS must assess each person found eligible for time-limited TFA benefits to develop an employability plan for him or her. DSS must then refer the person to the Department of Labor (DOL) which, with the regional workforce development board, must finalize the plan and identify the services the person needs to fulfill the plan (CGS § 17b-689c).

The bill requires the DSS and DOL commissioners to permit a TFA recipient to take educational courses as part of the requirements of her or his employability plan. They must do so as long as (1) the state complies with federal work participation requirements for the employment services program and (2) the education courses are approved by the DOL commissioner. Eligible courses can include: (1) two- or four-year college degree programs and (2) high school graduate equivalency degree or basic education programs for recipients otherwise ineligible to enroll in these programs during their first 20 hours per week of required employment activities.

The bill requires the DOL commissioner, in consultation with the DSS commissioner, to implement policies and procedures to establish (1) which programs may qualify as an approved employment activity, and (2) enrollment and academic requirements for students who are TFA recipients. The labor commissioner must implement these policies and procedures while adopting them as regulations, as long as she provides notice of intent to adopt the regulations not later than 20 days after implementing the interim policies and procedures.

The interim policies and procedures are valid until the final regulations go into are effect.

The bill cannot be construed as requiring the state to pay the tuition of any TFA recipient.

EFFECTIVE DATE: July 1, 2014

§ 135 — DSS REPORT ON COMPLEX REHABILITATIVE TECHNOLOGY (CRT)

Report Content

The bill requires the DSS commissioner to report, by January 1, 2015, to the Human Services Committee on the impact of:

1. designating products and services in Healthcare Common Procedure Coding System (HCPCS) codes as CRT;

2. setting minimum standards for suppliers to be considered qualified CRT suppliers and eligible for Medicaid reimbursement;

3. preserving the option for CRT to be billed and paid for as a purchase, allowing for single payments for devices needed for at least one year, excluding crossover claims for clients enrolled in both Medicare and Medicaid; and

4. requiring an evaluation for Medicaid recipients receiving a CRT wheelchair or seating component by a (a) qualified health care professional and (b) qualified CRT professional to qualify for reimbursement.

CRT Products

Under the bill, CRT are products classified as durable medical equipment (DME) within the Medicare program as of January 1, 2013, that are individually configured and medically necessary to meet individuals' specific and unique medical, physical, and functional needs and capacities for basic and instrumental activities of daily living. "Individually configured" means a device customized by a qualified CRT supplier to have a combination of sizes, features, adjustments, or modifications for a specific individual that are measured, fitted, programmed, adjusted, or adapted to be consistent with the individual's medical condition, physical and functional needs and capacities, body size, period of need, and intended use.

CRT includes:

1. complex rehabilitation manual and power wheelchairs and accessories;

2. adaptive seating and positioning items and accessories; and

3. other specialized equipment and accessories, including standing frames and gait trainers.

The designation includes products and services specified by HCPCS codes. These billing codes are overseen by the federal Centers for Medicare and Medicaid Services and based on current procedural technology codes developed by the American Medical Association. The bill distinguishes between pure HCPSC codes, which it defines as codes referring exclusively to CRT products and services, and mixed HCPCS codes, which are those that refer to a mix of CRT products and standard mobility and accessory products.

Qualified Health Care or CRT Professionals

Under the bill, qualified health care professionals are health care professionals licensed by the Department of Public Health, such as physicians, physical therapists, occupational therapists, or other specialized health care professionals with no financial relationship with a qualified CRT supplier. A qualified CRT professional is an individual certified as an Assistive Technology Professional by the Rehabilitation Engineering and Assistive Technology Society of North America.

Qualified CRT Suppliers

Under the bill, a qualified CRT supplier is a company or entity that:

1. is accredited by a recognized organization as a CRT supplier;

2. is an enrolled Medicare supplier and meets the supplier and quality standards established for DME;

3. has at least one employee who is a qualified CRT professional for each service location to (a) analyze the needs and capacities of an eligible individual in consultation with a qualified health

care professional, (b) participate in selecting appropriate covered CRT, and (c) provide technology-related training in CRT proper use;

4. requires a qualified CRT professional to be present for the evaluation and determination of appropriate CRT for an eligible individual;

5. is capable of providing service and repair by qualified technicians for all CRT it sells; and

6. provides written information to the eligible individual when the CRT is delivered on how to receive service and repair.

EFFECTIVE DATE: Upon passage

§ 136 — PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES

The bill requires the DSS commissioner to submit to the federal Centers for Medicare and Medicaid Services a state plan amendment to increase the Medicaid rate for private psychiatric residential treatment facilities. The increase must be within available state appropriations. The bill does not specify a deadline by which the commissioner must submit the amendment.

Under the bill, a "private psychiatric residential treatment facility" is a nonhospital facility with an agreement with a state Medicaid agency to provide inpatient services to people who are (1) Medicaid-eligible and (2) younger than age 21.

EFFECTIVE DATE: Upon passage

§ 137 — TAX STUDY

Scope

The bill requires the Finance, Revenue and Bonding chairpersons to convene a panel of experts to study the state's overall state and local tax structure. The panel, which cannot include legislators, must include experts in tax law, tax accounting, tax policy, economics, and

business finance.

The panel must consider and evaluate options to modernize tax policy, structure, and administration regarding:

1. efficiency,
2. administrative costs,
3. equity,
4. reliability,
5. stability and volatility,
6. sufficiency,
7. simplicity,
8. incidence,
9. economic development and competitiveness,
10. employment,
11. affordability, and
12. overall public policy.

In developing options, the panel must consider their impact and the extent to which tax policy affects business and consumer decision making.

The panel must also evaluate the feasibility of the following options:

1. creating a tiered property tax payment system that includes any property owned by the (a) state; (b) an institution, facility, or hospital for which the state made a payment in lieu of taxes to the host municipality; or (c) nonprofit entity;
2. assessing a "community benefit fee" on any tax-exempt

property;

3. taxing property owned by an institution, facility, or hospital for which the state made a payment in lieu of taxes; and

4. requiring institutions, facilities, or hospitals to report the value of their real and personal property.

Appointment

The governor and the committee's chairpersons and ranking members must appoint the panel, which may consist of up to 15 members, within 60 days after the bill's passage. The panel must include the following nonvoting ex officio members: the committee's chairpersons and ranking members, Senate president pro tempore, House speaker, Office of Policy and Management secretary, and revenue services commissioner.

The panel's voting members elect the chairpersons at the first meeting, which the committee's chairpersons must hold by August 1, 2014.

Organization

The panel must organize itself into subcommittees on (1) personal income taxes, including estate and gift taxes; (2) business taxes, including excise taxes; (3) consumer taxes; and property taxes. The panel, with the chairpersons' approval, may invite additional experts to participate, without voting, in the subcommittees.

Report

The panel must submit its findings for further action and recommendations to the governor and the committee by January 1, 2015. It may recommend extending its reporting deadline, but no later than January 1, 2016.

EFFECTIVE DATE: Upon passage

§ 138 — SMART START COMPETITIVE GRANT PROGRAM FUNDING

The bill requires that $10 million per year be disbursed from the Tobacco Settlement Fund to the Smart Start competitive grant account for FYs 16 through 25. sSB 29 of the current session creates the account to fund the Smart Start competitive grant program.

The grant program, established by sSB 25 of the current session, which passed both chambers, reimburses local and regional boards of education in the form of capital and operating grants for expenses related to establishing or expanding a preschool program under the board's jurisdiction. Boards must apply to the Office of Early Childhood for the grants.

EFFECTIVE DATE: July 1, 2014

§ 139 — HISTORIC HOMES TAX CREDIT

The law caps the aggregate amount of tax credits for rehabilitating historic homes at up to $ 3 million per year. The bill requires the economic and community development commissioner to reserve annually 70% of that amount for rehabilitating historic homes in the 24 municipalities designated as "regional centers" in the state's current five-year plan of conservation and development plan (*Conservation and Development Policies: The Plan for Connecticut 2013-2018*). These municipalities are Ansonia, Bridgeport, Bristol, Danbury, East Hartford, Enfield, Groton, Hartford, Killingly, Manchester, Meriden, Middletown, New Britain, New Haven, New London, Norwalk, Norwich, Stamford, Torrington, Vernon, Waterbury, West Hartford, West Haven, and Windham.

Until June 30, 2015, current law limits the credits to historic home rehabilitation projects in:

1. census tracts in which at least 70% of the families have an income that is 80% or less of the statewide median;

2. chronically economically distressed areas the state designates, with federal approval; and

3. urban and regional centers in the conservation and development

plan.

Beginning July 1, 2015, the credits will be available statewide, but historic homes must continue to meet the law's other requirements to qualify for the credits. Specifically, they may have no more than four units, one of which must be the owner's principal residence for at least five years after rehabilitation is completed and (2) must be listed on the National or state Register of Historic Places or located in a district listed in either register. With respect to the latter, the commissioner must determine that the home contributes to the district's historic character.

EFFECTIVE DATE: July 1, 2015

§§ 140-157 — BENEFIT CORPORATION

The bill establishes a legal framework for forming a for-profit corporation that both pursues social benefits and increases value for its shareholders (benefit corporation or b-corp). Corporations formed under current law are legally obligated to do only the latter. B-corps formed under the bill operate under the same laws as traditional business corporations (business corporation laws (BCL)) and seek to increase shareholder value. But their corporate purpose also includes doing things that generally benefit society and the environment or create specific public benefits.

The bill's governance structure and accountability requirements align with the b-corp's public benefit purpose. The bill requires a b-corp's directors and officers to consider certain interests and constituencies besides the shareholders' financial interests when making decisions. It also requires b-corps to report annually on their overall social and environmental performance. Under BCL, traditional corporate directors and officers must further the shareholders' interest without having to consider public interests (although they may purse social and community goals in limited situations) or report on how the corporation benefitted society and the environment.

The bill specifies rules and procedures for establishing and

dissolving b-corps, changing the specific public benefits they choose to create, disposing of a b-corp's assets, and entering into mergers or consolidations with traditional business entities or other b-corps. The bill also allows b-corps to include provisions in their bylaws and certificates of incorporation ensuring that their assets continue to serve a public purpose after they dissolve.

The bill provides a procedure for bringing an action against a b-corp for failing to create general or specific public benefits or violating any of the bill's provisions, but limits access to the procedure to shareholders and other parties specified in a b-corp's certificate of incorporation. Eligible parties may use the procedure to seek orders directed at a b-corp's conduct, but not to obtain monetary damages.

Lastly, the bill makes conforming and technical changes.

EFFECTIVE DATE: October 1, 2014.

§§ 142 & 155 — Benefit Corporation as a Form of For-Profit Corporation

By law, traditional for-profit business corporations must maximize value for their shareholders by making decisions aimed at increasing earnings, dividends, and share prices (shareholder value). The bill creates a legal framework for establishing for-profit corporations that must legally create public benefits as well as increase shareholder value. It places that framework within BCL, specifying that b-corps are subject to the bill's and BCL's provisions, except for the bill's specific provisions, which supersede BCL's general provisions.

The bill's authorization to form b-corps creates no implication that a different or contrary law applies to corporations that are not b-corps. The bill does not affect or change BCL, except to extend statutory appraisal rights to a traditional corporation's shareholders when:

1. the corporation's certificate of incorporation is amended to make it a b-corp,

2. the corporation merges with another corporation and the

surviving entity is a b-corp,

3. the corporation converts its shares into the right to receive shares in a b-corp, or

4. the corporation exchanges its shares for those of a b-corp.

(By law, shareholders have the right to have their shares appraised and purchased from them at the appraised price when a corporation (1) sells its assets or (2) merges or exchanges shares with another corporation, (CGS § 33-856)).

The bill's other provisions address the relationship between a b-corp and various parties. The bill:

1. gives people no legal claims to the b-corp's income or assets simply because they might benefit from a b-corp's creation of general and specific public benefits,

2. requires b-corps to use their assets or property only for charitable purposes, and

3. does not deprive the attorney general of jurisdiction over b-corps under the BCL or other law.

A b-corp's bylaws or certificate of incorporation cannot limit, conflict with, or supersede the bill's provisions.

§§ 141 & 147 — General and Specific Public Benefits

The authority to create general and specific public benefits sets b-corps apart from other traditional corporations, and the bill specifies that the creation of these benefits serves a b-corp's best interest.

The bill authorizes b-corps to create two types of public benefits. All b-corps must have a purpose of creating a "general public benefit," defined as a material positive impact on society and the environment, taken as a whole and assessed against a third-party standard described below. This benefit is in addition to those legal purposes allowed under the BCL.

The bill also allows b-corp to create one or more of the following "specific public benefits:"

1. providing low-income or underserved people or communities with beneficial products or services;

2. promoting economic opportunity for individuals or communities beyond creating jobs in the normal course of business;

3. protecting or restoring the environment;

4. improving human health;

5. promoting the arts, sciences, or advancement of knowledge;

6. increasing the flow of capital to other b-corps or similar entities whose purpose is to benefit society or the environment; and

7. conferring any other particular benefit on society or the environment.

Benefit corporations choosing to create one or more of these benefits must still create a general public benefit.

The general public benefit and any specific public benefits a b-corp chooses to create must be stated in its certificate of incorporation. The b-corp can subsequently add a specific public benefit or change or delete an existing one, but must do so by a minimum status vote, which is described below.

§§ 141, 143, 144, & 147 — Creating a Benefit Corporation

The bill (1) allows parties to establish a new corporation as a b-corp or transform a traditional corporation into a b-corp and (2) specifies how they must do so. By law, parties may establish a new corporation by filing a certificate of incorporation with the secretary of the state. Under the bill, those establishing a new b-corp must also file with the secretary, but indicate in the certificate that the corporation is a b-corp.

An existing corporation can change itself into a b-corp by amending its certificate of incorporation to that effect, an action that requires its board's approval and a minimum status vote.

§ 141 — Legacy Preservation Provision

The bill allows b-corps to adopt a "legacy preservation provision" (LPP), a legal device ensuring that their assets continue to serve a public purpose if a b-corp dissolves. A b-corp may add an LPP to its certificate of incorporation, but must wait at least two years after its formation before doing so. Under the bill, the LPP must require a dissolving b-corp to distribute its assets to one or more federal-tax-exempt charitable organizations or other b-corps with an LPP.

An LPP's adoption must be unanimously approved by the b-corp's shareholders for all shares in all classes or series, regardless of any limitations its bylaws or certificate of incorporation impose on any shareholder's voting or consent powers. The adoption must also comply with the BCL's procedures for amending certificates of incorporations (CGS §§ 33-795 –803).

§ 141 — Minimum Status Voting Requirement

The bill establishes a voting requirement that must be met before certain actions can be taken. As discussed below, these actions include changing a traditional corporation into a b-corp, amending an existing b-corp's certificate of incorporation, and entering into mergers and share exchanges involving b-corps and traditional corporations or non-corporate entities, such as partnerships.

Actions involving two or more b-corps or a b-corp and a traditional corporation requires a vote of the shareholders of each corporation class or series of shares, regardless of any limitations the bylaws or the certificate of incorporation place on their consent rights. The action must be approved by at least two-thirds of the shareholders in each class, series, or voting group as defined in the b-corp's certificate of incorporation, BCL, or the bill. This vote is in addition to any other approvals, votes, or consents required by the corporation's originating documents, bylaws, board resolutions or orders, or BCL.

If the action involves a merger between a b-corp and a partnership, limited liability company, or other noncorporate business entity, the minimum status vote for the business entity is a two-thirds vote of all equity holders in any series or class entitled to a distribution from the entity, regardless of any limitation on their voting or consent rights.

The bill refers to these requirements as a "minimum status vote."

§§ 141 & 144-146 — Mergers and Share Exchanges

The bill's requirements for mergers and consolidations vary depending on (1) whether a b-corp is subject to an LPP or (2) the types of business entities involved in the transaction.

§ 146 — Rules Affecting B-Corps. Under the bill, a b-corp's ability to merge or exchange shares with another corporation depends on whether the b-corp is subject to an LPP. A b-corp subject to an LPP may merge or exchange shares with another b-corp that is also subject to an LPP. Specifically, the b-corp may:

1. merge with another corporate entity if the surviving entity is a b-corp with an LPP,

2. convert its shares into the right to receive the shares of another b-corp with an LPP, or

3. exchange its shares for those of another b-corp with an LPP.

Each of these transactions must be approved by a minimum status vote.

The bill allows b-corps that are not subject to an LPP to engage in the same transactions, but only if they do not result in or involve another b-corp. The merger or share exchange plan must be approved by a minimum status vote.

§ 144 — Rules Affecting Traditional Corporations and Other Business Entities. Under the bill, a traditional corporation may merge or consolidate with a b-corp if the traditional corporation's shareholders approve the action by a minimum status vote. Such a

vote is specifically required for a merger or consolidation that would (1) result in the b-corp being the surviving entity or (2) exchange the traditional corporation's shares for the b-corp's.

The bill also allows noncorporate entities to merge or consolidate with b-corps. In these cases, the bill specifies that an entity's equity owners are entitled to appraisal rights under the same procedures BCL provides to the shareholders of a traditional corporation.

§§ 145 & 146 — Disposing Assets. The bill allows b-corps to sell, lease, exchange, or otherwise dispose of their assets, but the requirements for doing so vary depending on whether a b-corp is subject to an LPP. A b-corp with an LPP cannot take any of these actions unless (1) the assets are going to a charitable organization or another b-corp subject to an LPP and (2) the disposition is approved by a minimum status vote.

A b-corp without an LPP needs such a vote only for dispositions that would leave it without any significant business activity.

In both instances, the bill's disposition requirements do not apply to sales, leases, other transactions that occur during a b-corp's regular business operation.

§§ 141 & 145 — Terminating a Benefit Corporation. As noted above, a b-corp with an LPP cannot dissolve without distributing its assets to one or more charitable organizations or b-corps. A b-corp without an LPP may terminate its status as a b-corp by amending its certificate of incorporation to delete the provision that identifies it as a b-corp. This amendment must be approved by a minimum status vote.

§ 148 — Benefit Corporation Directors

Decision-Making Factors. The bill specifies the interest and factors a member of a b-corp's board of directors must consider when discharging his or her duties individually or collectively as a board or committee member. A director must specifically consider how a corporate action affects:

1. the b-corp's shareholders;

2. the employees and workforce of the b-corp and its subsidiaries and suppliers;

3. the interests of the b-corp's customers as beneficiaries of the b-corp's general and specific public benefits;

4. community and societal factors, including those of each community in which offices or facilities of the b-corp or its subsidiaries or suppliers are located;

5. the local and global environment;

6. the short- and long-term interests of the b-corp, including benefits that may accrue to it from its long-term plans and, in the case of a merger, the possibility that these interests may best be served by its continued independence; and

7. the b-corp's ability to accomplish its general and specific public benefit purposes.

(By law, the directors of a traditional corporation can consider similar factors in certain situations, such as merger proposal.)

The directors, individually or collectively, may also consider (1) any other interests BCL allows them to consider in particular circumstances and (2) other pertinent factors or interests of any other group they deem appropriate.

When considering the bill's factors, directors do not have to give priority to the interest of any particular person or group unless the certificate of incorporation requires them to do so.

Immunities. Under the bill, the directors are not violating their duties under BCL when they consider the factors described above. Their authority to consider these factors is in addition to their authority to consider those factors specified in BCL.

The bill further specifies the conditions under which the directors

are not personally liable to the b-corp in a direct or derivative suit under the BCL. (A derivative suit is an action one or more shareholders bring against a corporation's directors, officers, or other shareholders.) Under the bill, they are not liable for any act or omission they made or failed to make while performing their duties as a director in compliance with the bill and the BCL. Nor are they liable for the b-corp's failure to create a general public benefit or any of its specific public benefits.

Lastly, under the bill, b-corp directors have no duty to a person whose only connection to the b-corp is that he or she benefits from the b-corp's creation of the general or specific public benefits.

§ 150 — Benefit Corporation Officers

The bill requires b-corp officers to consider the same interests and factors that directors must consider if (1) they have discretion to act on the matter under consideration and (2) it reasonably appears to an officer that the matter could materially affect the b-corp's ability to create its general or specific public benefit. A b-corp officer acting in these circumstances does not violate the BCL.

The bill generally affords b-corp officers the same immunities from personal liability as b-corp directors, and, like directors, they have no duty to mere beneficiaries of the b-corp's publically beneficial activities.

§§ 141 & 149 — Benefit Director

Designation. Under the bill, the board of directors of a publically traded b-corp must, and the board of all other b-corps may, designate a benefit director responsible for preparing the b-corp's annual report and performing the other duties the b-corp's bylaws, resolutions, and orders specifically assign to the benefit director. Those duties, plus the powers, rights, and immunities these documents assign to the benefit director, are in addition to those this director has as a board member.

Under the bill, a benefit director can be designated in one of two ways. The board may elect one of its members to that position and

may remove the member according the BCL's provisions for electing or removing board members. A benefit director may also be anyone, including a nonboard member, authorized to manage the b-corp's business and affairs under a shareholder agreement that complies with the BCL. The agreement must specifically assign to this person some or all of the powers, duties, and rights the bill assigns to a benefit director.

In either case, a benefit director must not have a "material relationship" with the b-corp. Under the bill, this generally means that the director may not:

1. be or have been an employee of the b-corp or a subsidiary (other than as a benefit officer) within three years of serving as benefit director;

2. be immediately related to any current or recent executive officer of the b-corp or a subsidiary; or

3. generally (a) own 5% or more of the b-corp, (b) own 5% or more of an entity that owns 5% or more of the b-corp, or (c) hold an controlling position (such as a manager) in such entity.

A benefit director's current or previous service as the b-corp's or subsidiary benefit officer (see below) does not constitute a material relationship to the b-corp or its subsidiary. The b-corp's certificate of incorporation or bylaws may require additional, consistent qualifications of the benefit director.

Liability. The bill protects a benefit director's acts and omissions to the same extent it generally protects those of the b-corp's directors. But the bill protects a benefit director from personal liability to a greater extent than it does the other directors. Under the bill, the benefit director is liable only for self-dealing, willful misconduct, or a knowing violation of the law.

§§ 141, 149, & 151 — Benefit Officers

The bill allows a b-corp to designate a benefit officer to prepare its

annual report and exercise all the powers and duties related to its general and specific public benefits, as specified in the bylaws or the board's orders or resolutions authorizing the creation of such benefits. The bill gives the benefit officer the same duties and affords him or her the same immunities it affords to the b-corp's other officers. A benefit director may simultaneously serve as the benefit officer without forming a material relationship with the b-corp.

§§ 141 & 152 — Benefit Enforcement Proceeding

Under the bill, a b-corp or its shareholders may bring a benefit enforcement proceeding for (1) failing to create a general public benefit or specific public benefit or (2) violating the shareholders' appraisal rights (see above). Parties may bring a proceeding to order a b-corp to undertake an action or refrain from taking one, but not for money damages.

The b-corp can start a benefit enforcement proceeding directly against its directors or officers. One or more of its shareholders can also start one against the b-corp's directors, officers, or other shareholders if they (1) generally own at least 5% of the b-corp's shares when they start the suit or (2) own at least 10% of the entity that owns or controls the b-corp as a subsidiary. Under the bill, the beneficial owners of shares held in a voting trust or by a nominee may also start a proceeding.

Other groups may also start a proceeding if the b-corp's bylaws or certificate of incorporation allows them to do so.

§§ 141, 149, 153, & 154 — Annual Benefit Report

§§ 149 & 153 — Content. The bill requires a b-corp to prepare an annual benefit report for its shareholders and the public. The report must contain a narrative description of:

1. how the b-corp pursued its general public benefit purpose during the year and the extent to which a general public benefit was created;

2. how the b-corp pursued its chosen specific public benefit

purposes, if any, and the extent to which any specific public benefit was created;

3. any circumstances that have hindered the b-corp's creation of general public benefit or any chosen specific public benefit; and

4. the process and rationale for selecting or changing the third-party standard used to prepare the benefit report.

The report must also provide an assessment of the b-corp's overall social and environmental performance against a third-party standard (see below), either:

1. applied consistently with any application of that standard in prior benefit reports or

2. accompanied by an explanation of the reasons for any inconsistent application or the change to that standard from the one used in the most recent prior report.

The report must also provide the benefit director's opinion regarding:

1. whether the b-corp acted in accordance with its general public benefit purpose and any chosen specific public benefit purposes in all material respects during the reporting period,

2. whether the directors and officers complied with their duties under the bill, and

3. if they failed to do so, how.

The report must include a statement regarding any connection between the organization that established the third-party standard and the b-corp. This requirement applies to a connection between the organization's directors, officers, or any holder of 5% or more of the voting power or capital interests in the organization, and the b-corp's directors, officers, or anyone holding at least 5% of the b-corp's outstanding shares. It also includes any financial or governance

relationship that might materially affect the third-party standard's credibility.

The report must provide each director's annual compensation for serving as a director and the names and mailing addresses of the benefit director and benefit officer, if any.

Lastly, if the benefit director or officer resigned, was removed, or refused to be reelected, the report must include any written statement or correspondence from that director or officer concerning the circumstances of his or her departure.

Neither the report nor the performance assessment it contains needs to be audited or certified by the third-party standard provider (see below).

§§ 141 & 153 — Third-Party Standard. Under the bill, a b-corp's performance must be annually assessed against a recognized third-party standard for defining, reporting, and assessing corporate social and environmental performance. The standard must address the b-corp's impact on its employees, workforce, subsidiaries, and shareholders; its customers; the communities in which it operates; and the local and global environment. It must have been developed by an entity that has no "material relationship" with the b-corp (see § 3 & 10 — Benefit Director above). The entity that developed the standard must allow the public to know:

1. the identity of the people and organization that develop and control the process for making changes to the standard,

2. the process for revising the standard,

3. how changes to the organization's governing body are made, and

4. where the entity derives its revenue and financial support so that the public can identify any potential conflicts of interests.

Under the bill, a b-corp cannot select or change its third-party

standard without the approval of (1) at least a majority of its directors or (2) approval or written consent of that portion of directors or shareholders who must, under the bylaws or certificate of incorporation, approve such actions.

§ 154 — Report Distribution. The b-corp must send a copy of the annual report to each shareholder within 120 days of the fiscal year's end or together with any other annual report it provides to shareholders, whichever is earlier. The b-corp must post and maintain each annual report publically on its website, but may omit its directors' compensation or any financial, confidential, or proprietary information. If the b-corp does not have a website, it must provide a copy of its most recent report, with compensation, financial, confidential, and proprietary information omitted, to anyone who requests a copy, at no charge.

§ 158 — PHYSICIAN AND APRN PROFILES

Current law requires DPH, within available resources, to collect certain information to create individual profiles for health care providers for dissemination to the public. The bill eliminates the "within available appropriations" restriction with regard to collecting information on physicians and APRNs. The bill also adds to the profile information (1) whether or not the practitioner provides primary care services and (2) for an APRN, whether he or she is practicing independently or in collaboration with a physician to the list of collected information.

Collected information includes, among other things, the practitioner's specialty, primary practice location, and any hospitals at which he or she has admitting privileges. Unchanged by the bill, DPH must also collect such information on dentists, chiropractors, optometrists, podiatrists, natureopaths, dental hygienists, and physical therapists within available appropriations.

EFFECTIVE DATE: October 1, 2014

§ 159 — APPROVAL OF PCA AND CHILDCARE PROVIDER COLLECTIVE BARGAINING AGREEMENT PROVISIONS

The law allows certain family child care providers and personal care attendants (PCAs) to collectively bargain with the state over their reimbursement rates and other benefits. Any provision in a resulting contract that would supersede a law or regulation must be affirmatively approved by the General Assembly before the contact can become effective.

The bill approves such provisions in the contracts between (1) the Office of Early Childhood and the Connecticut State Employees Association (CSEA-SEIU, Local 2001) ("childcare workers") and (2) the Personal Care Attendant Workforce Council and the New England Health Care Employees Union (District 1199, SEIU) (PCAs).

Tables 3 and 4 show the contract provisions and corresponding superseded statute or regulations, according to the supersedence appendices prepared by OPM and submitted to the General Assembly with the contracts.

Table 3: Statutes and Regulations Superseded in the Childcare Workers' Contract

Provision	*Contract Reference*	*Statute/ Regulation*
Rate Review Process	Article 12: Fees and Differentials	CGS § 17b-749 (a) (establishes the child care subsidy program)
Establishment of Rates, Fees, and Differentials	Article 12: Fees and Differentials	Conn. Agencies Reg. §§: 17b-749-13(c) 1 (establishing payment rates) 17b-749-13(c) 3 (modifying payment rates) 17b-749-13(c) 6 (a-d) (separate rates for different types of providers) 17b-749-13(c) 12 (notice before modifying payment rates)
National Accreditation and Professional Development Stipends	Article 15, § 3: Professional Development	Conn. Agencies Reg. § 17b-749-13(c) 9 (bonus payments for national accreditation)
Membership of CSEA on Early Childhood Cabinet	Side Letter	CGS § 10-16z (Early Childhood Education Cabinet members) (HB 5562, passed by both chambers, also adds one CSEA member to the cabinet)
Eligibility of Child Care Providers	Article 15, § 4: Mandatory Orientation	Conn. Agencies Reg. § 17b-749-12 (notice before modifying payment rates)

Table 4: Statutes and Regulations Superseded in the PCA Contract

Provision	*Contract Reference*	*Statute/ Regulation*
Personal Data	Article 5: Union Rights	Conn. Agencies Reg. § 17a-210-14 (disclosure of personal data)
Withholding of Wages	Article 17: Union Security and Payroll Deduction	CGS § 31-71e (withholding of part of wages)
Wages	Article 13: DSS Wages	CGS § 17b-343 (rates of payment for home care services)
Side Letter re: Salary Increase at Maximum	Side Letter	CGS § 17b-343 (rates of payment for home care services)

EFFECTIVE DATE: Upon passage

§ 160 — PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS

The law authorizes state executive branch and quasi-public agencies to enter into agreements with private entities to finance, design, construct, develop, operate, or maintain certain "facilities" (i.e., public-private partnership agreements). The agreement may authorize any combination of these functions for one or more facilities. Under current law, the governor must approve up to five public-private partnership projects before January 1, 2015. The bill extends this deadline to January 1, 2016.

EFFECTIVE DATE: July 1, 2014

§ 161 — GIFTS OF MONEY TO DEPARTMENT OF REHABILITATIVE SERVICES (DORS)

The bill allows DORS to accept a bequest or gift of money and use it or hold it for any purpose specified with the bequest or gift. By law, the department can already accept a bequest or gift of personal property and, in certain cases, a gift or devise of real property (e.g., land).

EFFECTIVE DATE: Upon passage

§ 162 — ACUTE CARE HOSPITALS ON STATE-OWNED CAMPUSES

The bill designates each state-owned campus that has an acute care hospital on the premises (i.e., John Dempsey Hospital on the UConn Health Center (UCHC) campus) as the primary service area (PSA) responder for that campus. By law, an individual injured on campus

must wait for the current PSA responder (based on the severity of the emergency) to be dispatched in order to transport the patient to the appropriate hospital. In practice, this requires a private ambulance service to transport some patients to John Dempsey Hospital. The bill would allow the UCHC fire department to treat and transport such a patient.

EFFECTIVE DATE: October 1, 2014

§§ 163 & 164 — EXEMPTION FOR CHARTER OAK STATE COLLEGE FROM CERTAIN SEXUAL ASSAULT POLICY REQUIREMENTS

By law, public and independent higher education institutions must offer their students sexual assault and intimate partner violence primary prevention and awareness programming and campaigns. PA 14-11 expands the scope of the programming and campaigns. The bill exempts Charter Oak State College from the requirement to offer the programming and campaigns.

PA 14-11 also establishes, effective July 1, 2014, several requirements concerning the institutions' responses to sexual assault. The bill exempts Charter Oak from requirements in PA 14-11 for institutions to:

1. report annually to the Higher Education and Employment Advancement Committee concerning their policies, prevention and awareness programming and campaigns, and the number of incidents, disciplinary cases, and confidential or anonymous reports, involving sexual assault, stalking, and intimate partner violence;

2. establish a campus resource team to review their policies and recommend protocols for providing support and services to students and employees who report being victims;

3. enter into a memorandum of understanding with at least one community-based sexual assault crisis service center and one community-based domestic violence agency that (a) establishes a partnership with the service and agency and (b) ensures that

victims can access free and confidential counseling and advocacy services, either on or off campus; and

4. ensure that their Title IX coordinator and special police force, campus police force, or campus safety personnel are educated in the awareness and prevention of sexual assault, stalking, and intimate partner violence, and in trauma-informed response.

EFFECTIVE DATE: July 1, 2014

§§ 165-168 — CERTIFIED HISTORIC STRUCTURE REHABILITATION TAX CREDITS

The bill sunsets two DECD programs that provide tax credits to people and business entities for rehabilitating certain historic structures. It prohibits the DECD commissioner from reserving tax credits under the existing programs starting July 1, 2014. The bill creates a new, broader program as of that date that contains elements of the existing programs, but retains the current tax credit amounts. As under current law, the credits are applied against insurance premium, corporation business, air carrier, railroad company, cable and satellite TV, and hospital taxes.

One of the existing programs provides tax credits for (1) converting historic nonresidential structures to residential use and (2) rehabilitating historic residential structures with five or more units. The other program provides tax credits for rehabilitating historic structures that are at least partially used for nonresidential purposes for (1) mixed residential and nonresidential uses or (2) nonresidential use. The bill instead provides tax credits for rehabilitating any historic structure, regardless of how it is used after the rehabilitation. Thus, the bill establishes credits for rehabilitating one- to four-unit residences that continue to be used for that purpose. Under current law and the bill, a structure is considered historic if it (1) listed is on the national or state registers of historic places or (2) is in a national or state historic district and has been certified as contributing to the district's historic character.

The bill defines "certified rehabilitation" as the rehabilitation of a

historic structure (1) to a residential building with five or more units or (2) for mixed residential and nonresidential use or nonresidential uses consistent with the historic character of the property or district where it is located. But the bill does not use this term, thus allowing the historic structure to be used for any use that preserves its historic character.

The bill caps the total amount of tax credits DECD may reserve under the consolidated program at $31.7 million per year, and caps at $4.5 million the amount of tax credits a project may receive. Current law caps the total annual amount of tax credits under the residential program at $15 million and sets the individual cap at $2.7 million. It caps the total annual amount under the mixed use program at $50 million for a three-year period, and caps the individual project limit at $5 million.

Like the existing programs, the new program allows owners to sell or transfer the credits, but the bill limits to three the number of times this may be done.

As under current law, unused credits may be carried forward for up to five years.

EFFECTIVE DATE: July 1, 2014. The tax credits are applicable to income years starting on or after January 1, 2014.

Expanding the Types of Property Eligible for the Program

The bill makes the consolidated program available to more properties than can avail themselves of the credits under existing law. Under the law and the bill, eligible properties must be properties (1) listed individually on the National or State Register of Historic Places or (2) located in a district listed on either of those registers and certified by the state historic preservation officer as contributing to the district's historic character.

As under current law, to seek a tax credit before beginning rehabilitation work, the owner must submit certain information to the State Historic Preservation Officer. The bill requires that this include a

determination of whether the rehabilitation work meets the U.S. Interior Secretary's Standards for Rehabilitation (36 CFR 67), instead of state standards. It requires that, for rehabilitation including affordable housing, the owner submit to the Housing Department the same information on those units as it submits to DECD.

The credits are available in the tax year in which a certified historic structure has been rehabilitated to a point that would allow for occupancy of the entire building or an identifiable portion of it.

As under existing law, the bill authorizes tax credits for owners of eligible property of 25% of a project's qualified rehabilitation expenses or 30% if (1) at least 20% of the units are rental units that qualify as affordable housing or (2) at least 10% of the units are individual homeownership units that qualify as affordable housing. Under the bill, however, for DECD to reserve these credits, the rehabilitation plan must conform to the federal rehabilitation standards mentioned above, rather than state standards.

Also as under existing law, no tax credit can be allocated for projects including affordable housing unless the applicant receives a housing department certificate confirming that the project meets the legal definition for affordable housing.

Reporting Requirements

The bill requires DECD, by October 1, 2015 and each year afterwards, to report to the Finance and Commerce committees on the total amount of tax credits reserved for the previous fiscal year under the bill. The reports must include, for each project for which a tax credit has been reserved:

1. the total project costs;

2. for projects eligible for 25% of qualified rehabilitation expenses, (a) the value of the tax credit reservation, (b) a statement of whether the reservation is for mixed use, and (c) if so, the proportion of the project that is not residential, and (d) the number of residential units to be created; and

3. for projects eligible for 30% of qualified rehabilitation expenses, (a) the value of the reservation and (b) percentage of residential units that will qualify as affordable housing.

More Than One Owner

If a credit is allowed for rehabilitation of a structure that has more than one owner, the bill requires the credit to be passed through to such owners, or people designated as partners or members of such owners, on a pro rata basis, or according to an agreement among the owners, partners, or members, documenting an alternative distribution method without regard to other tax or economic attributes of the owners.

Transfer of Credits

As under the existing programs, the bill allows an owner to sell, assign, or otherwise transfer tax credits, but it limits to three the number of such transfers. The bill adds reporting components not found in the existing programs. If a credit is transferred, whether by the owner or a subsequent transferee, the transferor and transferee must jointly notify DECD in writing within 30 days of the transfer. The notification must include the:

1. transferor's and transferee's tax identification numbers,
2. credit voucher number,
3. date of the transfer,
4. amount of the credit transferred,
5. tax credit balance before and after the transfer, and
6. any other information DECD requires.

Failure to comply results in DECD disallowing the tax credit until the transferor and transferee fully comply, and for a second and third transfer, there is compliance by all subsequent transferors and transferees.

The bill requires DECD to annually provide to the DRS a list detailing (1) the credits approved for the most recent fiscal year, and (2) all sales assignments and transfers made for the year.

The bill also requires DECD to adopt regulations to carry out the bill's purposes, including provisions for filing applications, rating criteria, and timely approval by the department.

The new program does not include a credit recapture requirement, which is part of the existing mixed-use program. Under existing law, an owner who does not complete the residential portion of a mixed-use property by the date specified in the rehabilitation plan must repay the entire credit.

Housing Department Requirements

The bill requires the housing commissioner to review tax credit applications for projects containing affordable housing, and to issue a certificate if she determines the application does contain such housing as the bill requires. The housing commissioner may charge an applicant a fee of up to $2,000 to cover the cost of reviewing the applications. This fee is in addition to the maximum administrative fee of $10,000 that DECD may charge applicants rehabilitating certified historic structures.

The housing commissioner must monitor affordable housing projects built under the bill to ensure they are maintained as affordable for at least 10 years, and may require deed restrictions or other fiscal mechanisms to ensure compliance with project requirements. She may adopt regulations, which must include such provisions.

§§ 169-175 & 259 — REPEAL OF HITE-CT; ELECTRONIC HEALTH INFORMATION

The bill repeals the statutes establishing the Health Information Technology Exchange of Connecticut (HITE-CT) and makes conforming changes.

Under current law, HITE-CT is a quasi-public agency designated as the state's lead agency for health information exchange. It is

responsible for, among other things, (1) developing a statewide health information exchange to share health information electronically among health care facilities and professionals, public and private payors, government agencies, and patients and (2) providing grants to advance health information technology and exchange in the state, within available resources. It is governed by a 20-member board of directors.

Transfer of Certain Responsibilities to DSS

The bill transfers, from HITE-CT to the DSS commissioner, the responsibility to (1) implement and periodically revise the statewide health information technology plan and (2) establish electronic data standards to facilitate the development of integrated electronic health information systems for use by health care providers and institutions that receive state funding. The DSS commissioner must do this in consultation with DPH and DMHAS.

The bill requires the DSS commissioner, when complying with certain existing requirements regarding the plan's contents, to take into consideration advice that human services advisory boards and councils may provide to him.

The bill requires the DSS commissioner to develop uniform electronic health information technology standards for use throughout DDS, DPH, DOC, DCF, and DMHAS. Under the bill, if one of these agencies plans to revise the health information technology plan, it must submit the revision plan to the DSS commissioner for his approval before implementation. If the commissioner grants an approval that requires additional funding, he must submit the revisions to the OPM secretary.

The bill requires the DSS commissioner to annually submit the statewide health information technology plan, as revised, to the Appropriations, Human Services, and Public Health committees. (This applies regardless of whether the plan was revised since it was last submitted.) The first submission is due by January 1, 2015.

EFFECTIVE DATE: July 1, 2014

§ 176 — GO BACK TO GET AHEAD

The bill establishes the "Go Back to Get Ahead" program, administered by the Board of Regents for Higher Education (BOR) to encourage the following individuals to return to a higher education institution and earn a degree: those who (1) dropped out of an associate's or bachelor's degree program prior to its completion or (2) received an associate's degree and seek to advance their educational attainment.

Under the bill, eligible participants may receive, within available resources and subject to BOR guidelines, up to three free three-credit courses required to complete an associate's or bachelor's degree program. Eligible participants must:

1. reside in Connecticut;

2. have either (a) previously enrolled in an associate's or bachelor's degree program at any public or private college or university and left before completing it or (b) received an associate's degree and seek to enroll in a bachelor's degree program;

3. have not attended any college or university for at least 18 months, as of June 30, 2014; and

4. enroll in an associate's or bachelor's degree program by September 30, 2016 at a Connecticut State University System institution, a Connecticut community college, or Charter Oak State College.

EFFECTIVE DATE: July 1, 2014

§ 177 — DESIGNATION OF AREAS WITHIN THE TOWNS OF WALLINGFORD AND THOMASTON AS ENTERPRISE ZONES

The bill (1) allows Wallingford and Thomaston each to designate an area of town as an enterprise zone and (2) requires the economic development commissioner to approve these designations by July 1, 2014. The bill describes the municipalities respectively as (1) having a

population of up to 50,000 in which a U.S. Postal Service Processing center that at any time employed at least 1,000 people is located and (2) having a population between 7,800 and 7,900 and an area of up to 12.2 square miles.

The area in Wallingford can only be designated as an enterprise zone for five years from the date any portion of the designated zone is transferred, provided the transfer occurs on or after July 1, 2014.

Generally, municipalities must be considered "distressed municipalities" to designate an area as an enterprise zone and the designated area must meet certain poverty or unemployment criteria. The bill allows Wallingford and Thomaston to designate areas as an enterprise zone without meeting these criteria.

Under the bill, the areas designated by Wallingford and Thomaston must consist of two contiguous census tracts, contiguous portions of such tracts, or all or a portion of an individual census tract, according to the most recent census. If a designated zone is covered by zoning, a portion of the area designated as an enterprise zone must be zoned for commercial or industrial activity. Businesses located in these zones receive the same benefits as those in existing enterprise zones, including property and real estate conveyance tax exemptions for developing facilities and a 10-year corporation business tax credit for newly formed businesses in the zones.

EFFECTIVE DATE: July 1, 2014

§ 178 — DSS GRANT TO ROSE CITY SENIOR CENTER IN NORWICH

On January 9, 2014, the State Bond Commission allocated $690,000 in bonds to DSS for a grant to the Rose City Senior Center in Norwich for roof, flooring, and exterior improvements. The bill exempts Norwich from the requirement that it contribute at least one-third of the project's cost. Under current law, DSS grants to municipalities for certain neighborhood facilities, including senior centers, may cover up to two-thirds of the project's costs.

EFFECTIVE DATE: Upon passage

§§ 179 & 260 — COURT FEES AND LEGAL SERVICES FOR THE POOR

The bill makes permanent certain court filing fee increases and fees that took effect July 1, 2012 and are currently set to expire on July 1, 2015.

It also raises, from 70% to 95%, the portion of revenue received from these fee increases that the chief court administrator must transfer to the organization administering the interest on lawyers' trust accounts (IOLTA) program to fund legal services for the poor. Accordingly, it decreases, from 30% to 5%, the portion of the increase that the administrator must transfer to the Judicial Data Processing Revolving Fund for the judicial branch's informational data processing system.

EFFECTIVE DATE: July 1, 2014, for the changes in the allocation of the fee increases; October 1, 2014 for the extension of those increases.

Extension of Increased Court Fees

PA 12-89 increased certain existing fees, and imposed new fees, for filing various court actions and motions in Superior Court. Under that act, the fee increases and new fees are scheduled to expire on July 1, 2015. The bill makes the increases and fees permanent.

Table 5 shows the current fees and the scheduled reduction under current law.

Table 5: Fee Increases and Fees Extended by the Bill

PA 12-89 §§	*Action or Motion*	*Current Fee (and Continuing Fee Under Bill)*	*Reduced Fee Under Current Law As of July 1, 2015*
2, 9	Filing civil case generally (there are different fees for certain types of cases)	$350	$300
2, 9	Filing case in which the sole claim for relief is damages and the amount, legal interest, or property in demand is less than $2,500	225	175
2, 9	Filing small claims case*	90	75
2, 9	Filing counterclaim in small claims case	90	0
2, 9	Motion for admittance as attorney *pro hac vice*	600	0

2, 9	Filing counterclaim, cross complaint, apportionment complaint, or third party complaint	200	0
3, 10	Motion to modify judgment in a family relations matter	175	125
4-7, 11-14	Application from judgment creditor for enforcement of an unsatisfied judgment, including debts due from financial institutions or other sources, and wage executions against a judgment debtor who fails to comply with an installment payment order	100	75

* By raising the small claims filing fee, PA 12-89 also increased certain fees that are set by law in an amount equal to that fee (e.g., appeals of penalties for certain municipal matters (see CGS §§ 7-152b, 7-152c, and 47a-6b)).

§§ 180-185 — CONNECTICUT RETIREMENT SECURITY BOARD AND MARKET FEASIBILITY STUDY

The bill creates the Connecticut Retirement Security Board and requires it to (1) conduct a market feasibility study on implementing a public retirement plan and (2) develop a comprehensive proposal for implementing the plan that must include certain goals and design features. The board must submit:

1. two reports on the feasibility study's status to the governor and Labor Committee, by May 1, 2015 and January 1, 2016, respectively and

2. the comprehensive proposal to the governor, General Assembly, Senate president pro tempore and House speaker by April 1, 2016.

Connecticut Retirement Security Board

Membership. The bill establishes a 14-member, board which includes the state comptroller, state treasurer, labor commissioner, and OPM secretary, or their respective designees. Table 6 lists the appointed board members' appointing authority, required qualifications, and initial terms.

Table 6: Appointed Board Members and Qualifications

Appointing Authority	*Required Qualifications*	*Initial Term*
Senate president pro	Retirement plan design expert	Four years

tempore		
House speaker	Senior citizen advocacy organization representative	Four years
Senate majority leader	Labor union representative	Four years
House majority leader	Private-sector employee retirement plan option manager	Four years
Senate minority leader	Expertise in designing retirement plan options for businesses	Three years
House minority leader	Expertise in consumer retirement planning	Three years
Governor	Potential plan participant	Three years
Governor	Expertise in the federal Employment Retirement Income Security Act (ERISA), the Internal Revenue Code, or both	Three years
State comptroller	Experience in investment matters	Three years
State treasurer	Experience in investment matters	Three years

All appointments to the board must be made by July 31, 2014. Following the expiration of their initial terms, subsequent legislative leader and gubernatorial appointees will serve three-year terms. Any vacancy must be filled by the appointing authority within 30 calendar days. Any member previously appointed to the board may be reappointed.

The comptroller and the treasurer must serve as board chairpersons (presumably they will be co-chairs). The chairpersons must hold the board's first meeting by August 10, 2013. It must meet at least monthly.

Each member must, within 10 calendar days after appointment, take an oath that he or she will diligently and honestly administer the board's affairs, and will not knowingly violate or willingly permit violations of the applicable trust law. Each member's term begins from the date the member takes the oath, which must be administered by the comptroller or treasurer. A majority of the members constitutes a quorum.

The bill requires each trustee to file, with the board and the Office of State Ethics, a statement of financial interests, as described by law. The statement is a public record. The members must serve without pay but, within available appropriations, receive reimbursements for travel and other necessary expenses. The board is within the comptroller's office for administrative purposes only.

Board Functions

In addition to conducting the feasibility study and developing the comprehensive proposal, the bill allows the board to:

1. enter into contracts for any legal, actuarial, accounting, custodial, advisory, management, administrative, advertising, marketing, and consulting services needed and pay for them with funds in an account the bill requires the comptroller to establish (see below);

2. form working groups as necessary to (a) solicit feedback from key stakeholders on the plan's design, (b) advocate for changes in federal retirement law to improve retirement security, (c) assess the plan's impact on reducing public assistance costs for the elderly in the state, and (d) determine if changes in federal or state tax law would help employees in the state save for retirement;

3. accept any bequest, devise, or gift of money or personal property, and use it for the purposes specified with such a bequest, devise, or gift; and

4. apply for grants or financial assistance from any person, group, corporation, or state or federal agency.

Board Account

The bill requires the comptroller to establish a separate, nonlapsing account within the General Fund to support the board's required activities. Any grants or financial assistance the board receives must be deposited in this account.

Market Feasibility Study

The board must conduct a market feasibility study to (1) determine whether the goals and design features required for implementing the plan can be accomplished and (2) recommend methods to accomplish those goals and design features. The study must examine the:

1. likely participation rates;

2. contribution levels;

3. rate of account closures and rollovers;

4. ability to provide employers with a payroll deposit system for remitting employee contributions;

5. funding options for implementing the plan;

6. likely insurance costs and whether the costs should be subject to a limit on annual administrative expenses; and

7. legal compliance needed to ensure that the (a) Roth individual retirement accounts (IRAs) provided by the plan qualify for favorable income tax treatment ordinarily given to IRAs under the Internal Revenue Code and (b) plan is not treated as an employee benefit plan under ERISA.

Implementation Proposal

After completing the market feasibility study, the bill requires the board to develop a comprehensive plan implementation proposal in consultation with qualified employers, potential plan participants, financial services representatives, and other stakeholders. Under the bill, qualified employers include any person, corporation, limited liability company, firm, partnership, voluntary association, joint stock association, or other entity that employs at least five people in Connecticut. It does not include any public-sector employer, including any municipality, unit of a municipality, or municipal housing authority.

The board's proposal must include goals and design features that:

1. increase access and enrollment in quality retirement plans without incurring state debts or liabilities;

2. reduce the need for public assistance through a system of prefunded retirement income;

3. minimize the need for plan participants' financial sophistication;

4. promote transparency and accountability in the management of retirement funds through oversight, regular reporting to plan participants, and ethics review of plan fiduciaries;

5. pay all expenses, including employee costs, incurred to implement, maintain, advertise, and administer the plan from money collected by or for the trust (presumably, a trust will be established to hold deposits into the retirement plan);

6. provide plan portability by keeping IRAs for each plan participant;

7. have low administrative costs limited to an annual predetermined percentage;

8. provide an annuitized benefit with options for converting to a lump-sum payout upon retirement and spousal and preretirement death benefits to enable a participant to bequeath assets to beneficiaries;

9. provide an annually predetermined guaranteed rate of return and procure insurance, as needed, to guarantee it;

10. implement a default contribution rate and allow participants to change their contribution levels;

11. comply with all applicable federal or state laws, rules, and regulations;

12. ensure that plan participants and IRAs qualify for the favorable federal income tax treatment ordinarily given to IRAs under the Internal Revenue Code;

13. ensure the plan is not treated as an employee benefit plan under ERISA;

14. contain a process to (a) determine employer, employee, or anyone else's participation in the plan and (b) ensure mandatory participation by qualified employers that do not offer employer-

sponsored plans;

15. provide a process for a qualified employer to credit a plan participant's contributions to his or her IRA through payroll deposit;

16. give an employer immunity regarding investment returns, plan design, and retirement income paid to plan participants;

17. provide a process for streamlined enrollment of plan participants, including automatic enrollment unless an employee chooses to opt out;

18. disseminate education information about saving and planning for retirement to potential participants;

19. establish a secure Internet web site to help qualified employers identify vendors of retirement arrangements that the employers could implement instead of the board's plan;

20. legally enforce employer plan obligations;

21. ensure that any assets held for the plan are used to (a) distribute IRA savings balances to plan participants and (b) pay the plan's operation, administrative, and investment costs;

22. ensure that any amounts deposited in the plan (a) do not constitute state property and the plan is not construed as a state department, institution, or agency, and (b) are not commingled with state funds and the state has no claim to or against, or interest in, them;

23. ensure that (a) any plan contract or obligation does not constitute a state debt or obligation, (b) the state has no obligation to any designated beneficiary or other person because of the plan, and (c) all amounts obligated to be paid under the plan are limited to amounts available to pay such an obligation;

24. ensure that (a) the plan will continue in existence as long as it

holds any deposits or has any obligations and until its existence is terminated by law and (b) upon termination, any unclaimed asset must return to the state; and

25. ensure that property used in the plan must be governed by the law that addresses abandoned property held by a fiduciary.

EFFECTIVE DATE: July 1, 2014

§§ 186-190 — CIVIL PROTECTION ORDERS

§ 186 — Sexual Abuse, Sexual Assault, or Stalking Victims

The bill allows the Superior Court to issue civil protection orders to an applicant who (1) is a victim of sexual abuse, sexual assault, or 1st, 2nd, or 3rd degree stalking; (2) has not obtained any other court order of protection arising out of the abuse, assault, or stalking; and (3) does not qualify for relief under a civil restraining order, which is limited to family and household members (see BACKGROUND).

Application. The bill requires an application for a civil protection order to be accompanied by an affidavit made under oath and include a statement of the specific facts that form the basis for relief.

Ex Parte Order. Under the bill, the court may issue an ex parte order granting appropriate relief, if it finds that there are reasonable grounds to believe that the applicant is in imminent danger. The bill allows the court to consider relevant court records if the records are available to the public from a Superior Court clerk or on the Judicial Branch's Internet web site.

The bill requires the court clerk to provide two copies of any ex parte orders to the applicant.

Hearing. The court must schedule a hearing within 14 days after receiving an application meeting the above requirements. If the court is closed on the scheduled hearing date, the hearing must be held on the next day the court is open and any ex parte order that was issued must remain in effect until the hearing date.

Service of Process. Under the bill, at least five days before the hearing, the applicant must have a notice of the hearing and a copy of the application, affidavit, and any ex parte order served on the respondent by a proper officer, such as a state marshal. The bill requires the Judicial Branch to pay the cost of serving process.

The proper officer, immediately after serving process on the respondent, must send or cause to be sent, by fax or other means, a copy of the application, or the information contained in it, stating the date and time the respondent was served, to the law enforcement agency or agencies for the town in which (1) the applicant resides, (2) the applicant is employed, and (3) the respondent resides.

Order after Hearing. Under the bill, if the court finds reasonable grounds to believe that the respondent (1) has committed acts constituting grounds for issuance of an order and (2) will continue to commit such act or acts designed to intimidate or retaliate against the applicant, it may make such orders as it deems appropriate for the protection of the applicant.

The bill allows the court to consider relevant court records if the records are available to the public from a Superior Court clerk or on the Judicial Branch's Internet web site.

Under the bill, a civil protection order may include an order prohibiting the respondent from:

1. imposing any restraint upon the applicant's person or liberty;

2. threatening, harassing, assaulting, molesting, sexually assaulting, or attacking the applicant; and

3. entering the applicant's dwelling.

Duration and Termination. Under the bill, a civil protection order, whether issued ex parte or after a hearing, must not exceed one year, unless extended by the court. The bill allows the court to extend the order if:

1. the applicant filed a proper motion,

2. a proper officer has served the respondent a copy of the motion,

3. no other protection order based on the same facts and circumstances is in place, and

4. the need for protection still exists.

Notice of Order. When a court grants an order after notice and hearing, the clerk must provide two copies of the order to the applicant and a copy to the respondent. The bill also requires every such order to be accompanied by a notice that complies with the federal full faith and credit provisions.

Distribution of Orders. The court clerk must send, by fax or other means, a copy of any ex parte order and any order after notice and hearing, or the information contained in it:

1. to the law enforcement agency or agencies for the town in which (a) the applicant resides, (b) the applicant works, and (c) the respondent resides, within 48 hours after the issuance of the order and

2. at the request of the applicant, to the (a) school (e.g., public or private elementary or secondary school) or institution of higher education at which he or she is enrolled, (b) president of any institution of higher education at which the applicant is enrolled, and (c) special police force established, if any, at the institution of higher education at which the applicant is enrolled.

The bill specifies that an action for a civil protection order does not preclude the applicant from subsequently seeking any other civil or criminal relief based on the same facts and circumstances.

Background — Family or Household Members

By law "family or household members" are any of the following people, regardless of their ages:

1. spouses or former spouses;

2. parents or their children;

3. people related by blood or marriage;

4. people other than those related by blood or marriage presently living together or who have lived together;

5. people who have a child in common, regardless of whether they are or have been married or have lived together; and

6. people in, or who have recently been in, a dating relationship (CGS § 46b-38a).

§ 187 — Criminal Violation of a Civil Protection Order

The bill makes it a crime to violate a civil protection order. A person is guilty of criminal violation of a civil protection order when he or she (1) has a civil protection order issued against him or her, (2) knows of its terms, and (3) violates the order.

Under the bill, criminal violation of a civil protection order is a class D felony punishable by up to five years in prison, a fine up to $5,000, or both.

§ 188 — 1st Degree Criminal Trespass

The bill makes it 1st degree criminal trespass for a person, without permission or privilege to do so, to enter or remain in a building or any other premises in violation of a civil protective order.

By law, 1st degree criminal trespass is a class A misdemeanor punishable by up to one year in prison, a fine up to $2,000, or both.

§ 189 — Protective Orders Registry

The bill expands the chief court administrator's automated protective orders registry by requiring that it also include civil protection orders. Under current law, the registry contains (1) protective or restraining orders issued by Connecticut courts and (2) foreign protective orders registered in this state.

By law, the registry must clearly indicate the order's start and end dates, if specified, and duration.

§ 190 — State Marshals – Civil Process

The bill expands the duties of state marshals by authorizing them to serve civil protective orders. The bill specifies that such orders constitute civil process.

Under the bill, the Judicial Branch must pay the cost of serving a civil protective order in the same way it pays the cost of serving a civil restraining order. Fees and expenses associated with the serving of such process must be calculated in the same way they are for other service of process.

EFFECTIVE DATE: January 1, 2015

§ 191 — FAMILY VIOLENCE VICTIM ADVOCATES

The bill requires the chief court administrator to allow one or more "family violence victim advocates" to provide services to victims of domestic violence in the Superior Court's family division in one or more judicial districts in the state.

Under the bill, a "family violence victim advocate" is a person:

1. employed by and under the control of a direct service supervisor of a domestic violence agency (e.g., an office, shelter, or agency helping domestic violence victims and meeting the DSS criteria);

2. who has undergone at least 20 hours of training on the dynamics of domestic violence, crisis intervention, communication skills, working with diverse populations, an overview of the state criminal justice and civil family court systems, and state and community resources for victims of domestic violence;

3. certified as a counselor by the domestic violence agency that provided the training; and

4. whose primary purpose is rendering advice, counsel, and assistance to, and advocating for domestic violence victims.

EFFECTIVE DATE: January 1, 2015

§ 192 — FEDERALLY QUALIFIED HEALTH CENTER (FQHC) DOCUMENT FILING DEADLINE

The law requires FQHCs to file with DSS, on January 1 annually, the following for the previous fiscal year: (1) a Medicaid cost report, (2) audited financial statements, and (3) any additional information DSS reasonably requires. The bill allows an FQHC that does not use the state fiscal year calendar to file the required documents within six months after its fiscal year ends.

FQHCs are community-based clinics that provide primary and preventive health care services to "medically underserved" populations or areas without regard to a patient's ability to pay.

EFFECTIVE DATE: July 1, 2014

§ 193 — DSS REIMBURSEMENT FOR ELECTRONIC PRESCRIPTIONS FOR DURABLE MEDICAL EQUIPMENT

The bill requires the DSS commissioner, no later than July 1, 2014, to accept electronic transmission of prescriptions for reimbursement under the medical assistance program for durable medical equipment, including wheelchairs, walkers, and canes. The prescriptions must be electronically signed by a licensed health care provider with prescriptive authority.

EFFECTIVE DATE: Upon passage

§ 194 — DSS HOSPITAL PAYMENT EVALUATION AND PAY-FOR-PERFORMANCE PROGRAM FOR CERTAIN PROVIDERS

The law requires DSS, starting July 1, 2013, to reimburse acute care and children's hospitals for serving Medicaid recipients based on diagnostic related groups (DRGs) that the DSS commissioner establishes and periodically rebases. Such a system permits payment based on the severity of each patient's illness.

Under the bill, when DSS converts to the DRG payment methodology, the commissioner must evaluate such payments for all hospital services, including a review of pediatric psychiatric inpatient

hospital units. The bill allows the DSS commissioner, within available appropriations, to implement a pay-for-performance program for pediatric psychiatric inpatient care.

EFFECTIVE DATE: July 1, 2014

§ 195 — PAYMENT RATES AT RESIDENTIAL CARE HOMES (RCH)

The bill allows the DSS commissioner, at his discretion, to waive specified regulations and make other changes to RCH cost reporting for rate-setting for FY 15, subject to available appropriations. Such changes could affect rates paid by DSS to RCHs. By law, for FY 14 and FY 15, DSS may increase rates, within available appropriations and other limits, for those facilities with a calculated rate greater than the one in effect in FY 13.

Allowable Changes

Under the bill, the commissioner may increase, to a maximum of 5%, the inflation cost limitation on certain costs reported by RCHs. By regulation, this limitation applies to (1) dietary expenses; (2) laundry; (3) housekeeping; and (4) routine nursing care, excluding care provided at nonmedical facilities (e.g., homes for the aged).

DSS regulations require the agency to calculate an allowance for RCH real property costs (e.g., costs for land, buildings, and non-moveable equipment) in part by applying a rate of return (ROR) on the value of a portion of the property and adjusting that ROR after 10 years. The bill allows the commissioner to change the ROR for real property by:

1. establishing a 5% minimum ROR on real property, including property acquired in FY 13;

2. waiving the standard ROR for property costs for (a) ownership changes or (b) health and safety improvements exceeding $100,000 required under a DPH consent order; and

3. waiving the ROR adjustment to avoid financial hardship (presumably, of the RCH).

Background — RCH Cost Reports

By law, RCHs providing services to Medicaid recipients must provide annual cost reports to DSS. DSS uses these reports to calculate a per-diem rate to pay the homes to provide services to Medicaid recipients. In recent years, the legislature has moved away from cost-based rate setting, instead freezing or giving flat percentage increases to all facilities, but the cost reports are still required, as legislation periodically directs DSS to use them for rate setting in some cases.

EFFECTIVE DATE: July 1, 2014

§ 196 — SALES AND USE TAX EXEMPTION FOR SALES TO CONNECTICUT CREDIT UNIONS

The bill exempts sales of goods or services to Connecticut credit unions from the sales and use tax. A Connecticut credit union is a credit union that (1) is a cooperative, nonprofit financial institution organized under, and the membership of which is limited by, Connecticut law; (2) operates for the benefit and general welfare of its members with the earnings, benefits, or services offered being distributed to, or retained for, its members; and (3) is governed by a volunteer board of directors elected by and from its membership.

Sales to federally chartered credit unions are already exempt from the Connecticut sales and use tax.

EFFECTIVE DATE: July 1, 2016, and applicable to sales occurring on or after that date.

§ 197 — STATE-WIDE PLAN TO PROVIDE EDUCATION, TRAINING, AND JOB PLACEMENT IN EMERGING INDUSTRIES

The bill requires the Connecticut Employment and Training Commission (CETC) to develop, in collaboration with regional workforce development boards, a statewide plan and funding proposal to implement, expand, or improve on (1) contextualized learning programs, (2) career certificate programs, (3) middle college programs, and (4) early college high school programs. The bill describes this plan as a way to provide education, training, and placement in available jobs in manufacturing, health care, construction,

green industries, and other emerging sectors of the Connecticut economy.

It also requires CETC to report to the Higher Education and Employment Advancement Committee on the plan by January 1, 2015 and on the status of the four programs under the plan by September 1, 2015 and annually thereafter.

Programs under the CETC Statewide Plan

Contextualized Learning. The bill defines "contextualized learning" as an educator-designed learning environment that incorporates experiences, including social, cultural, physical, and psychological experiences, to achieve desired learning outcomes.

Career Certificate Program. By law, the education commissioner may award career certificates to high school and postsecondary school students who successfully complete school-to-career programs approved by the education and labor commissioners. The school-to-career programs must consist of school- and work-based instruction and connecting activities that coordinate the two (CGS § 10-20a).

Middle College Program. The bill defines a "middle college program" as a collaboration between a school district's high schools and a regional community-technical college or four-year college or university where a student can:

1. take core high school courses or college-level courses for which college credit may be earned and

2. attribute all earned credits toward a college or university program in which the student enrolls upon middle college graduation.

Early College High School. The bill defines "early college high school" as a school attended by students who are underrepresented in colleges and universities, including low-income youth, first-generation college students, English language learners, and minority students. This school allows students to simultaneously earn, tuition-free, a high

school diploma and (1) an associate's degree or (2) up to two years of credit toward a bachelor's degree.

EFFECTIVE DATE: July 1, 2014

§ 198 — TWO-GENERATIONAL SCHOOL READINESS PLAN

The bill requires the Commission on Children to establish a two-generational school readiness plan, within available appropriations, and by December 1, 2014 report on the plan to the Children's, Education, Higher Education and Employment Advancement, and Appropriations committees. The plan must promote long-term learning and economic success for low-income families by addressing intergenerational barriers to school and workforce readiness using (1) high-quality preschool, (2) intensified workforce training, (3) targeted education and (4) related support services.

The bill requires the commission's plan to include recommendations for:

1. promoting and prioritizing access to high-quality early childhood programs for children aged birth to five years who are living at or below 185% of the federal poverty level;

2. providing the parents of such children with (a) the opportunity to acquire their high school diplomas, (b) adult education, and (c) technical skills to increase their employability and sustainable employment; and

3. funding the plan's implementation through the use of the temporary assistance for needy families program and other federal, state, and private sources.

EFFECTIVE DATE: Upon passage

§ 199 — FINANCIAL LITERACY INSTRUCTION

The bill allows the Department of Education (SDE), Board of Regents for Higher Education (BOR), and UConn Board of Trustees (BOT), in consultation with the Department of Banking (DOB), to

develop a plan to provide students in public high schools and state higher education institutions financial literacy instruction, including the impact of using credit and debit cards. The financial literacy instruction may occur (1) during a public high school student's final year and (2) by the end of the second semester for students at state higher education institutions.

The bill also requires (1) SDE, BOR, and BOT, to work with the DOB to secure federal, state, or private funding to implement the plan and (2) the SDE commissioner, BOR president, BOT chairman, and DOB commissioner to report on the plan status to the Banks Committee by January 1, 2015.

EFFECTIVE DATE: July 1, 2014

§ 200 — WATER UTILITY COORDINATING COMMITTEE (WUCC) CONSULTANT CONTRACTS

The bill increases, from $200,000 to $250,000, the cap on contracts the DPH commissioner may enter into with consultants to provide services to WUCCs.

The state is divided into seven management areas based on factors such as similarity of water supply problems, proliferation of small water systems, groundwater contamination, and over-allocated water resources. DPH convenes a WUCC for a particular public water supply management area to address these issues. A WUCC consists of one representative from each (1) public water system with a supply source or service area in the management area and (2) regional planning agency in the management area (CGS §§ 25-33d to 33j).

EFFECTIVE DATE: July 1, 2014

§§ 201-203 — INTERNET SWEEPSTAKES CAFES

The bill makes it a class A misdemeanor to conduct or promote a sweepstakes or promotional drawing that (1) is not related to the bona fide sale of goods, services, or property or (2) uses a simulated gambling device. Such operations are often referred to as "Internet sweepstakes cafes." A class A misdemeanor is punishable by up to one

year's imprisonment, up to a $2,000 fine, or both.

Internet sweepstakes cafes are storefronts that sell products (e.g., phone cards or Internet time) that provide entries into a sweepstakes game that may yield cash prizes. After customers buy the product, they are given a specified amount of entries in the sweepstakes. Customers can determine if they won all at once or by playing a slot-like program. If they have a positive balance, they can redeem the entries for cash.

EFFECTIVE DATE: July 1, 2014

Simulated Gambling Devices and Gambling Premises

Under the bill, a "simulated gambling device" is any mechanically, electrically, or electronically operated machine, network, system, or device that (1) is intended to be used by an entrant to a sweepstakes or a promotional drawing; (2) displays a simulated gambling display on a screen or mechanism; and (3) is owned, leased, or possessed by a sponsor or a promoter, or any partners, affiliates, subsidiaries, or contractors. A "simulated gambling display" is visual or aural information that takes the form of actual or simulated gambling or gaming play, including a video game version of (1) poker or any other playing card game; (2) a slot machine or other game based on or involving the random matching of different pictures, words, numbers, or symbols; (3) bingo; (4) craps; (5) keno; or (6) lotto.

The bill makes any simulated gambling device used in, or premises used for, an illegal sweepstakes or a promotional drawing a "common nuisance." This designation allows municipalities to seek injunctive relief requiring the property's owner to act against the people causing the nuisance. The bill (1) allows a peace officer to seize such a device upon detection and (2) subjects the premises and the people affiliated with it to existing gambling premises law. The bill allows retail grocery store chains to conduct sweepstakes for discounts using a simulated gambling device when it is related to grocery sales.

By law, if a premises is deemed a gambling premises, any associated

license, permit, or certificate is voided. If the owner, lessee, agent, employee, operator, or occupant knowingly maintains, aids, or permits the gambling premises, he or she is guilty of a class A misdemeanor. If he or she does so with any (1) locked, barricaded, or camouflaged place; (2) electrical or mechanical alarm or warning system; or (3) lookout, he or she is guilty of a class D felony, punishable by up to five years imprisonment, up to a $5,000 fine, or both (CGS § 53-278e).

Grocery Store Exemption

The bill allows a retail grocery chain to conduct or promote a sweepstakes using a simulated gambling device when (1) the sweepstakes is related to grocery sales and (2) the prize is (a) not redeemed or redeemable for cash and (b) only used as a discount for items purchased from the store. A retail grocery chain is an operator or franchisor of five or more retail establishments whose primary business is selling groceries.

Sweepstakes and Promotional Drawings

Under current law, "sweepstakes" are legal contests or games where a prize is distributed by lot or chance. The bill (1) expands sweepstakes to also include competitions, schemes, or plans and (2) requires sweepstakes to be conducted by a sponsor or promoter only for advertising or promotional purposes related to the sale of goods, services, or property. By law and unchanged by the bill, a person does not need a permit or license to operate a sweepstakes within the state.

Currently, a "sponsor" is someone on whose behalf a sweepstakes is conducted to advertise his or her goods or services. The bill (1) requires sponsors to primarily be in the business of selling goods, services, or property and (2) allows sponsors to authorize a sweepstakes or promotional drawing to be conducted to promote or advertise their property, in addition to goods or services. It also makes conforming changes to the "promoter, "and "prize," definitions to include promotional drawings.

§§ 204-206 — NEGLECTED CEMETERIES

The bill establishes a "neglected cemetery account," funded by fees

DPH receives for death certificates, as a separate, nonlapsing General Fund account and requires OPM secretary to use the account's funds to maintain neglected burial grounds and cemeteries. It allows municipalities to apply for funds on a form and in the manner the OPM secretary prescribes.

The bill protects municipalities and their employees, officers, and agents from civil or criminal liability arising from their care and maintenance of a neglected burial ground or cemetery. It also specifically allows municipalities to mow the lawns of neglected burial grounds or cemeteries, and makes minor and technical changes regarding municipal authority to care for such sites.

By law, municipalities can undertake certain maintenance of burial grounds or cemeteries that (1) have more than six places of internment; (2) are not under the control or management of a functioning cemetery association; and (3) show certain signs of neglect, including weeds and damage to fences. Such maintenance includes clearing weeds and repairing fences.

EFFECTIVE DATE: October 1, 2014

§§ 207 & 249 — OPTIONAL METHOD OF FORECLOSURE

The bill changes the effective date of sHB 5514, as amended by House Amendment "A" (File 745), from October 1, 2014 to January 1, 2015. sHB 5514, as amended, establishes an optional method of foreclosure for certain residential properties, called "foreclosure by market sale," which is a court-approved sale on the open market upon the mortgagee's (lender's) request and with the mortgagor's (borrower's) consent.

EFFECTIVE DATE: Upon passage with a conforming change effective January 1, 2015.

§§ 208 & 256 — OPERATION FUEL

The bill annually transfers $1.1 million collected through the systems benefits charge (SBC) to Operation Fuel, beginning July 1, 2014. The bill allows $100,000 of that sum to be used for administrative

purposes. By law, the SBC is a charge on electric company bills that covers the cost of implementing various public policies. Operation Fuel is a nonprofit organization that provides limited energy assistance to households that (1) are ineligible for other programs or (2) have exhausted benefits under those programs.

The bill also repeals an earlier provision of HB 5596, passed by the House and Senate, transferring $500,000 from the SBC to Operation Fuel for FY 15.

EFFECTIVE DATE: Upon passage

§ 209 — REMEDIAL SUPPORT FOR HIGHER EDUCATION STUDENTS

The bill increases the remedial support the four Connecticut State Universities and 12 regional community-technical colleges (CTCs) must offer to make students college-ready. It requires these institutions to offer a three-tiered remediation system to eligible students using supports and programs that are both embedded in and independent of required coursework. Remediation tiers consist of embedded, intensive, and transitional support (see Tiered Remediation System below). Current law prohibits CSUS and CTCs, beginning in fall 2014, from offering any remedial support to eligible students, unless it is embedded support or part of an intensive college readiness program, with a maximum of one semester of non-embedded support that is (1) intended to advance the student toward earning a degree and (2) approved by BOR. The bill instead requires CSUS and CTCs to provide support under the tiered system.

The bill delays, from fall 2014 to fall 2015, the requirement that CTCs provide embedded remedial support in entry-level classes. Under current law, both CTCs and CSUS must provide embedded support beginning fall 2014. The bill also requires both CSUS and CTCs to provide intensive and transitional remedial support beginning in fall 2015.

It also allows the Board of Regents for Higher Education (BOR) and the SDE to enter into a memorandum of understanding to deliver a

transitional college readiness program that will enable adults to enroll directly in a college or university upon completion. It requires BOR, in consultation with Connecticut's P-20 Council and the BOR Faculty Advisory Committee, to develop options for this program. The P-20 Council is a statewide team of stakeholders comprised of educators, business leaders, and civic officials formed to build stronger ties among educators and policymakers at all levels of education in the state, from preschool to graduate school.

Tiered Remediation System

Remediation tiers in the bill consist of (1) embedded support, as described in current law; (2) intensive semester support; and (3) a transitional college readiness program.

Beginning in the fall 2014 semester for CSUS and the fall 2015 semester for CTCs, the bill requires these institutions to offer a student embedded support when multiple commonly accepted measures of skill level indicate that the student is likely to succeed in college-level coursework with supplemental support. By law, embedded support must be (1) incorporated into a corresponding entry-level course in a college program and (2) offered during the same semester and in conjunction with the course to provide supplemental support.

Beginning in the fall 2015 semester, the bill requires both CSUS institutions and CTCs to offer a student one intensive semester of remedial support when multiple commonly accepted measures of skill level indicate that the student is below the skill level required for college work even with embedded support. Under the bill, intensive semester support must be designed to provide the necessary knowledge and skills to enter an entry-level college course and must allow the student to repeat this support, subject to the institution's course repeat policy, which must allow at least one repeat attempt.

Under current law, beginning in fall 2014, CSUS and CTCs must offer a college readiness program, which an eligible student must complete before receiving embedded remedial support. Beginning in the fall 2015 semester, the bill instead requires both CSUS institutions

and CTCs to offer a student a transitional college readiness program (1) when multiple commonly accepted measures of skill level indicate that the student is below the skill level required to succeed in an intensive semester of remedial support and (2) before the student begins a new semester of study. The student must complete the program before receiving embedded or intensive semester support.

EFFECTIVE DATE: July 1, 2014

§ 211 — YOUTH EMPLOYMENT PROGRAM

The bill requires $1 million of the $5.5 million FY 15 appropriation for the Labor Department's (DOL) Connecticut Youth Employment Program to be distributed through the Workforce Investment Boards (WIB) to the following cities' youth employment programs:

1. Bridgeport, up to $164,000;
2. East Hartford, up to $65,000;
3. Hartford, up to $172,000;
4. Meriden, up to $71,000;
5. New Britain, up to $87,000;
6. New Haven, up to $149,000;
7. Stamford, up to $123,000;
8. Waterbury, up to $143,000; and
9. Windham, up to $26,000.

The bill prohibits each WIB from using more than 5% of the distributed funds for administrative costs. It also requires each WIB, by January 1, 2015, to submit a report to the Appropriations Committee on the distributed funds' use. The report must include (1) the number and ages of youths served by each municipality receiving funds, (2) the employment types in which participating youths were engaged, and (3) their employment retention rate.

The state's five WIBs are responsible for oversight, strategic planning, and policymaking related to workforce development activities provided through local One-Stop CTWorks Career Centers. Among other things, they administer the DOL's Youth Employment Program, which helps high school-age students find summer jobs, and offers various training and mentoring programs.

EFFECTIVE DATE: July 1, 2014

§ 212 — SOUTHEASTERN CONNECTICUT BIOSCIENCE BUSINESS DEVELOPMENT PROGRAM

The bill requires the DECD commissioner to, by February 1, 2015, establish and administer program to promote and support the development of bioscience and biotechnology businesses in the Southeastern Connecticut Planning Region. DECD must develop this program in consultation with Connecticut Innovations, Inc., Connecticut United Research for Excellence, Inc., the Southeastern Connecticut Enterprise Region, the Chamber of Commerce of Eastern Connecticut, and other organizations in the region with expertise in the formation of or assistance to start-up businesses, fundraising, networking, and marketing.

By February 1, 2017, DECD must include a report on the established program in its annual report.

Program Requirements

The program established must include:

1. outreach to entrepreneurs, regional community and business leaders, and bioscience and biotechnology experts to (a) determine their needs and objectives and (b) inform them of state resources and programs available to help form bioscience and biotechnology businesses in the planning region;

2. a marketing plan for bioscience and biotechnology development in the region, including the goals, timetable, and budget for the plan and how the organization will identify and market regional assets, such as the region's facilities and talent pool; and

3. a working group of 10-15 business and community leaders from the planning region that will encourage networking and planning among professionals from different fields, support the development and occupancy of the incubator at CURE Innovation Commons, assess the program, and make recommendations regarding its development and implementation to DECD.

EFFECTIVE DATE: October 1, 2014

§ 213 — DELETED

§§ 214-218 — BUDGET PROVISIONS

The bill makes adjustments to the recently enacted FY 15 budget (HB 5596, as amended). Please refer to the fiscal note for an explanation and summary of these sections.

§ 219 — MUNICIPAL PENSION DEFICIT FUNDING BONDS

The law allows municipalities to issue bonds to pay for unfunded past pension obligations. If a municipality issues such bonds, it must appropriate money for, and contribute to its pension plan, at least the actuarially required contribution (ARC) in each fiscal year that it has outstanding bonds for the plan. The ARC is (1) established by the plan's actuarial valuation, (2) based on generally accepted accounting principles, and (3) generally set according to a fixed payment schedule that cannot exceed the longer of 10 years or 30 years from the date when the bonds were issued.

The bill exempts any municipality in New Haven county with a population of less than 65,000 that issues pension deficit funding bonds by June 30, 2015 from the ARC requirements for the first four fiscal years of the bond issuance. Instead, it requires such the municipality to make the payments as shown in Table 7.

Table 7: ARC Requirements under the Bill

Fiscal Year	*Required Contribution*
1 (fiscal year in which the bonds are issued)	At least 50% of the ARC
2	Lesser of (1) 55% of the ARC or (2) $5

	million more than the prior year's contribution
3	Lesser of (1) 70% of the ARC or (2) $5 million more than the prior year's contribution
4	Lesser of (1) 80% of the ARC or (2) $5 million more than the prior year's contribution
5 and each fiscal year thereafter	100% of the ARC

If a municipality issuing pension deficit funding bonds under these provisions fails to meet the required ARC in any fiscal year, the bill authorizes the Municipal Finance Advisory Commission to require the municipality's chief fiscal officer or chief executive official to appear before the commission.

EFFECTIVE DATE: Upon passage

§ 220 — MEDICAID STATE PLAN PROVIDER EXPANSION

The bill requires the DSS commissioner, by October 1, 2014, to amend the Medicaid state plan to include services provided to Medicaid recipients age 21 or older by the following licensed behavioral health clinicians: (1) psychologists, (2) clinical social workers, (3) alcohol and drug counselors, (4) professional counselors, and (5) marriage and family therapists. Under the bill, the commissioner must (1) include the clinicians' services as optional services under the Medicaid plan and (2) provide direct reimbursement to clinicians who (a) are enrolled as Medicaid providers and (b) treat Medicaid recipients in independent practice settings.

The bill allows the commissioner to implement policies and procedures necessary to implement these changes in advance of regulations, provided he prints notice of intent to adopt regulations within 20 days of implementing the policies and procedures. The policies and procedures will be valid until the final regulations are adopted.

EFFECTIVE DATE: July 1, 2014

§ 221 — UCONN AND UCHC POLICE

The bill makes members of the UConn and UConn Health Center (UCHC) Police Departments unclassified, instead of classified, state employees. Unlike classified state employees positions, unclassified positions are not subject to things such as (1) DAS-administered civil service exams for hiring and promotions (CGS §§ 5-200(a), 5-216), and (2) OPM certification for creating new positions or filling vacancies (CGS § 5-214), among other things.

The bill exempts the unclassified UConn and UCHC police from a periodic DAS evaluation of unclassified positions held by employees in collective bargaining units to determine if the position is in the appropriate compensation plan. It also exempts the compensation of their nonunion members from being determined under DAS-established compensation plans.

The bill requires UConn's president to establish classifications for the UConn and UCHC police using objective job-related criteria that includes (1) knowledge and skill required to carry out the position's duties, (2) mental and physical effort, and (3) accountability. (It does not specify how these classifications are to be used.) The president must also establish and administer all necessary examinations for the two police departments.

The law generally allows the DAS commissioner to issue orders that provide the same rights and benefits to executive or judicial branch employees, regardless of whether they are union or nonunion, classified or unclassified (CGS § 5-200). He cannot, however, include unclassified employees of the constituent units of higher education in this equation. Under the bill, this exemption would include UConn and UCHC police.

The bill specifies that positions in the two police departments are within the bargaining unit that represents protective services employees (as they currently are) and cannot be severed from it. Presumably, this provision supersedes CGS § 5-275, which requires the State Board of Labor Relations to determine appropriate bargaining units and modifications to them. The bill also makes a technical change

fixing an incorrect statutory reference.

EFFECTIVE DATE: Upon passage

§ 222 — EXEMPTION FROM AFFORDABLE HOUSING LAND USE APPEALS PROCEDURE

The bill suspends the applicability of the affordable housing land use appeals procedure (CGS § 8-30g), for a period beginning January 1, 2014 and ending December 31, 2014, in any municipality in which (1) at least 6% of the housing stock is classified as affordable and (2) the planning and zoning commission, with regard to affordable housing development applications:

1. approved one on or after November 1, 2013;

2. denied one and the application was the subject of an appeal that was pending as of April 1, 2014; and

3. was considering one as of April 15, 2014.

Under the bill, the suspension applies as of January 1, 2014 to any application filed, or appeal pending, in a municipality meeting the above criteria.

The affordable housing land use appeals procedure is a set of rules that allows developers to appeal local planning and zoning commission decisions denying affordable housing developments or approving them with costly conditions to Superior Court. In traditional zoning appeals, the developer must convince the court that the commission (i.e., municipality) acted illegally, arbitrarily, or abused its discretion by rejecting the proposed development. The procedure instead places the burden of proof on the municipality. Only municipalities in which less than 10% of the housing stock is affordable are subject to the procedure. But, a municipality qualifies for a four-year moratorium from the procedure if it meets a specific threshold of affordable housing units created since the last census.

EFFECTIVE DATE: Upon passage

§ 223 — SHARON HOSPITAL SALES TAX EXEMPTION

The bill expands, for the next three fiscal years, a sales and use tax exemption that applies to a hospital that meets specified criteria and then ends the exemption.

The current exemption applies to sales of personal property or services to an acute care, for-profit hospital, operating on that basis as of May 12, 2004, for the hospital's purposes connected with the constructing and equipping of any facility of the hospital for which a certificate of need was filed before, and was pending on, May 12, 2004.

For FY 15 through FY 17, the bill instead exempts any sales of tangible personal property or services to and by an acute care hospital, operating as a "sole community hospital," as defined by federal law, exclusively for its purposes. Federal law (42 CFR 412.92) defines a "sole community hospital" as one that is more than 35 miles from similar hospitals or located in a rural area and meets one of several other conditions.

The current exemption only applies to Sharon Hospital. Similarly, at present, Sharon Hospital is the only "sole community hospital" in the state. Existing law, unchanged by the bill, exempts sales of personal property to and by nonprofit charitable hospitals.

EFFECTIVE DATE: July 1, 2014

§ 224 — "CARE 4 KIDS" PROGRAM

The bill expands the list of people and families to whom DSS must give priority eligibility for child care subsidies through the Care 4 Kids program. It gives such status to any household with a child or children participating in the federal Early Head Start Child Care Partnership grant program for up to 12 months. By law, teen parents, low-income working families, and certain others already receive priority over others in the subsidy program. Through Care 4 Kids, DSS offers, within available appropriations, child care subsidies to working families and certain others who have income under 50% of the state median income (SMI). Once eligible, family income can rise to 75% of

SMI.

EFFECTIVE DATE: July 1, 2014

§ 225 — ADMISSIONS TAX EXEMPTION FOR WEBSTER BANK ARENA

The bill exempts admission charges for events held at the Webster Bank Arena in Bridgeport from the 10% admissions tax. The recently enacted FY 15 budget similarly exempts admissions charges for events held at the XL Center in Hartford from the tax.

EFFECTIVE DATE: July 1, 2014

§ 226 — ENVIRONMENTAL IMPACT REVIEWS FOR INDUSTRIAL REINVESTMENT PROJECTS

By law, state agencies must consider environmental factors when deciding to fund a project or do other things that could significantly affect the environment (environment impact evaluations (EIE)) (CGS §§ 22a-1 through 22a-1h). Under the bill, any EIE the state completed for the Rentschler Field Development is deemed to include any planned, proposed, or state-certified industrial reinvestment project (IRP) under PA 14-2, including its discrete parts or segments. Neither the act nor the statutes define "Rentschler Field Development," but the term appears to refer to the sports stadium project at Rentschler Field in East Hartford. (The Office of Policy and Management approved an EIE for the project on September 18, 2000).

IRPs are large-scale projects manufacturers may propose under PA 14-2 to receive compensation for unused state research and development tax credits. An IRP must involve at least $100 million in eligible expenditures over a period of up to five years. These expenditures include designing and constructing facilities, purchasing machines and equipment, conducting research and development, and hiring and training employees. The amount of compensation for the unused credits depends partly on the total eligible expenditures. The compensation may be tax refunds or offsets or financial assistance.

EFFECTIVE DATE: Upon passage

§ 227 — PCA UNION DUES

Current law limits the deduction of a personal care attendant's (PCA) union dues and fees to payments from the waiver program in which a PCA's consumer is participating. Thus, PCAs in non-waiver programs, such as the Connecticut Home Care Program for Elders, cannot have union dues or fees deducted from their payments. The bill removes this restriction and instead allows the dues and fees to be deducted from any program covered by their collective bargaining agreement.

EFFECTIVE DATE: Upon passage

§§ 228 & 256 — MERGED REGIONAL PLANNING ORGANIZATIONS (RPO)

The bill replaces existing transitional rules for merged RPOs (i.e., regional councils of government (COG), councils of elected officials (CEO), and regional planning agencies (RPA)) in planning regions in which a new COG is established (i.e., certified). Under current law, transitional rules apply only when one or more CEO or RPA exists in a planning region in which a new COG is established. Under the bill, similar transitional rules apply when two or more RPOs exist in a planning region in which a new COG is established. (Revised local planning regions will go into effect on January 1, 2015.)

Under the bill, if a new COG is established in a planning region that already has two or more RPOs ("existing RPOs"), (1) the municipalities comprising the existing RPOs must negotiate a consolidation of operations and (2) a transitional period commences. During this period, (1) the individual activities of all existing RPOs continue and (2) the chief elected official of each municipality in the planning region serve as a transitional executive committee. The committee has authority and responsibility for proposing and preparing the following for adoption by the new COG:

1. bylaws;

2. staffing arrangements;

3. a program of planning and implementation activities providing for the assumption of active programs of the existing RPOs that the committee deems appropriate, following appropriate due diligence and good faith negotiations;

4. a budget for such assumed programs, for a period not to exceed one year from the end of the transitional period; and

5. the date on which the transitional period terminates, which must not later than January 1, 2015.

The committee must also select and propose candidates, who may include members of the committee, for election by, and to serve as officers of, the new COG.

When the transitional period terminates, the new COG succeeds and is responsible for the rights, privileges, and obligations, whether statutory or contractual, of an existing RPO related to any active programs that the new COG assumes. If a right, privilege, or obligation is deemed unacceptable by the new COG for its assumption, an unincorporated association of municipalities that were members of the existing RPO may administer such right, privilege, or obligation for a term determined by the member municipalities.

The bill also eliminates provisions which specify the conditions under which a COG (1) is deemed a CEO and (2) may become a CEO or RPA. PA 13-247 requires CEOs and RPAs to reestablish themselves as COGs by January 1, 2015.

The bill makes minor related changes.

EFFECTIVE DATE: Upon passage

Background — Planning Regions

By law, at least every 20 years, the OPM secretary must analyze planning region boundaries and redesignate them if necessary. Revised local planning regions will go into effect on January 1, 2015 (CGS § 16a-4c).

Within planning regions, the three types of regional planning organizations currently allowed by law are RPAs, CEOs, and COGs. PA 13-247 requires CEOs and RPAs to reestablish themselves as COGs by January 1, 2015.§ 229 — Nutmeg Network Demonstration Projects

The bill authorizes the OPM secretary to use $1,311,198 in FY 15 from the regional planning incentive account for a grant to the Capitol Region Council of Governments (CRCOG) and the Connecticut Center for Advanced Technology (CCAT) to create statewide high-speed network (i.e., Nutmeg Network)-related demonstration projects. Of this grant, CRCOG and CCAT must use:

1. $405,750 for developing an online portal for municipal human resources services, including wage and classification information and templates;

2. $101,000 for (a) developing a pilot program allowing up to six municipalities to facilitate live Internet streaming of municipal meetings and (b) CCAT to research less expensive and more mobile equipment alternatives for broadcasting municipal meetings over the Internet;

3. $603,500 for developing an electronic document management system pilot program for up to six municipalities to (a) facilitate conversion to electronic document storage, (b) streamline file searches and storage, and (c) facilitate long-term systems and software services sharing between municipalities;

4. $95,200 for developing a voice-over Internet protocol pilot program to provide advanced communications services, including website and video conferencing, to up to six municipalities; and

5. $105,748 for developing a hosting services pilot program for up to seven municipalities providing customized, host software solutions and a virtual data storage environment.

Under the bill, municipalities are eligible to participate in the pilot

programs if they are (1) members of any COG, (2) connected to the Nutmeg Network, (3) willing to participate, and (4) capable of participating successfully. Participating municipalities must be selected in consultation with the Connecticut Conference of Municipalities.

EFFECTIVE DATE: July 1, 2014

§ 229 — NUTMEG NETWORK DEMONSTRATION PROJECTS

The bill authorizes the OPM secretary to use $1,311,198 in FY 15 from the regional planning incentive account for a grant to the Capitol Region Council of Governments (CRCOG) and the Connecticut Center for Advanced Technology (CCAT) to create statewide high-speed network (i.e., Nutmeg Network)-related demonstration projects. Of this grant, CRCOG and CCAT must use:

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2. $101,000 for (a) developing a pilot program allowing up to six municipalities to facilitate live Internet streaming of municipal meetings and (b) CCAT to research less expensive and more mobile equipment alternatives for broadcasting municipal meetings over the Internet;

3. $603,500 for developing an electronic document management system pilot program for up to six municipalities to (a) facilitate conversion to electronic document storage, (b) streamline file searches and storage, and (c) facilitate long-term systems and software services sharing between municipalities;

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to seven municipalities providing customized, host software solutions and a virtual data storage environment.

Under the bill, municipalities are eligible to participate in the pilot programs if they are (1) members of any COG, (2) connected to the Nutmeg Network, (3) willing to participate, and (4) capable of participating successfully. Participating municipalities must be selected in consultation with the Connecticut Conference of Municipalities.

EFFECTIVE DATE: July 1, 2014

§ 230 — OPM YOUTH SERVICES PREVENTION GRANTS

Current law specifies how OPM's Youth Services Prevention appropriations must be distributed to certain government and other entities in FYs 14 and 15. The bill modifies the grant distributions for FY 15, as shown in Table 8. If OPM does not allocate an FY 15 grant to its designated recipient, the bill requires the OPM secretary to reallocate the grant to one or more recipients designated for an FY 15 grant. He must notify the Appropriations Committee chairpersons of any reallocations.

Table 8: OPM Youth Services Prevention Grants

Grant Recipient	*Current Law's FY 14 and FY 15 Grant Amounts*	*Bill's FY 15 Grant Amounts*
Communities That Care	$42,177	$85,900
Supreme Being, Inc.	42,177	42,150
Windsor Police Department Partnership Collaboration	42,177	42,150
Hartford Knights	42,177	42,150
Ebony Horsewomen, Inc.	42,177	42,150
Boys and Girls Clubs of Southeastern Connecticut	81,104	0
Compass Youth Collaborative Peacebuilders Program	396,661	396,400
Artist Collective	43,740	43,700
Wilson-Gray YMCA	43,740	43,700
Joe Young Studios	43,740	0
Believe in Me, Inc.	50,000	50,000
Institute for Municipal and Regional Policy	341,339	341,000
Solar Youth New Haven	30,446	30,400
Dixwell Summer Stream - Dixwell United Church of Christ	100,000	99,900
Town of Manchester Youth Service Bureau Diversion Program	85,303	85,200
East Hartford Youth Task Force Youth Outreach	85,303	85,200
City of Bridgeport Office of Revitalization	67,163	67,150

Walter E. Luckett, Jr. Foundation	67,163	67,150
Bridgeport PAL	134,326	134,200
Regional Youth Adult Social Action Partnership	44,775	44,750
Save Our Youth of Connecticut	44,775	44,750
Action for Bridgeport Community Development	44,775	44,700
Gang Resistance Education Training (Captain Roderick Porter)	67,163	67,150
Family Re-entry Inc. (Fresh Start Program)	67,163	67,150
The Village Initiative Project, Inc.	134,326	134,200
Yerwood Center	125,000	0
Boys and Girls Club of Stamford	45,994	96,000
Chester Addison Community Center	100,000	0
Neighborhood Links Stamford	25,000	0
River-Memorial Foundation, Inc.	60,357	60,300
Hispanic Coalition of Greater Waterbury, Inc.	60,357	60,300
Police Activity League, Inc. (Long Hill Rec. Center)	60,357	60,300
Willow Plaza Center	60,357	60,300
Boys and Girls Club of Greater Waterbury	60,357	60,300
W.O.W. (Walnut Orange Wood) NRZ Learning Center	60,357	60,300
Serving All Vessels Equally	211,584	211,400
Human Resource Agency of New Britain, Inc.	100,000	99,900
Pathways Senderos	45,000	45,000
Prudence Crandall Center Inc. of New Britain	20,000	20,000
OIC of New Britain	45,000	45,000
Nurturing Families Network (New Britain)	23,715	23,700
City of Meriden Police Department	150,652	150,500
North End Action Team	64,579	64,500
Writer's Block Inc. (NEW)	0	81,000
DOMUS of Stamford (NEW)	0	200,000
Police Activities League of New Haven (NEW)	0	50,000
r'Kids Family Center of New Haven (NEW)	0	50,000

EFFECTIVE DATE: Upon passage

§§ 231-234 — BUDGET PROVISIONS

The bill makes adjustments to the recently enacted FY 15 budget (HB 5596, as amended). Please refer to the fiscal note for an explanation and summary of these sections.

§§ 235 & 236 — DCF ADOPTION SUBSIDIES

By law, when DCF places a special needs child with an adoptive family, it must provide a:

1. lump-sum special need subsidy paid directly to a service provider for an anticipated adoption-related expense if no other resource is available or

2. periodic subsidy to the adopting family.

The bill extends the period for which DCF may provide the periodic subsidy in certain circumstances. Currently, DCF may provide such a subsidy until the child turns 18. Under the bill, DCF may continue to provide a periodic subsidy for a special needs child between ages 18 and 21 if the:

1. adoption was finalized on or after October 1, 2013;

2. child was age 16 or older when the adoption was finalized;

3. child is (a) enrolled full-time in an approved secondary education program or program leading to an equivalent credential (b) enrolled in a full-time postsecondary or vocational institution or (c) participating full-time in a program or activity approved by the commissioner and designed to promote or remove barriers to employment.

The bill allows the commissioner, at her discretion, to waive the full-time requirement based on compelling circumstances.

It also requires DCF to annually review periodic subsidies for special needs children age 18 to 21, instead of biennially as required if the child is under age 18. It eliminates a requirement that the commissioner perform the review in accordance with a schedule she or her designee establishes.

Upon review, DCF must continue to provide the subsidy to the child age 18 to 21 if the child's adoptive parent, at the time of review, submits a sworn statement that the child meets the above education or employment requirements.

It also makes other minor and technical changes.

EFFECTIVE DATE: Upon passage

§§ 237-247 — DELETED

§ 248 — AQUATIC INVASIVE SPECIES

The bill establishes an aquatic invasive species management grant and prevention and education program for the Department of Energy and Environmental Protection (DEEP) to administer. Under the program, DEEP may:

1. provide grants to municipalities for aquatic invasive species management efforts;

2. educate boaters on ways to prevent the spread of aquatic invasive species; and

3. conduct a rapid response to an aquatic invasive species population identified in an inland water body after July 1, 2014.

The bill authorizes the DEEP commissioner to adopt implementing regulations, which may include eligibility criteria and priorities for municipal grants.

Municipal Grants

Under the bill, DEEP may make grants to a municipality for up to:

1. 75% of the cost of conducting an aquatic invasive species diagnostic feasibility study related to reducing an aquatic invasive species population in an inland water body or

2. 50% of the cost of conducting a restoration project in an inland water body by controlling and managing an aquatic invasive species population that exists there as of July 1, 2014.

Use of Funds

The bill requires DEEP to use at least 30% of the funds available under the program for municipal grants and allows up to 10% of the available program funds to be used for program administration. The remaining funds must be used for the prevention and education program and rapid response efforts.

Background – Aquatic Invasive Species

Aquatic invasive species are non-native aquatic plants or animals that tend to grow at such a rate that they displace native species and

disrupt the ecosystem. They include, for example, Eurasian milfoil, fanwort, zebra mussel, quagga mussel, Chinese mitten crab, New Zealand mud snail, Asian clam, and rusty crayfish.

EFFECTIVE DATE: July 1, 2014

§ 250 — ECS PAYMENT SCHEDULE FOR WINCHESTER

This section accelerates payments of the Education Cost Sharing (ECS) grant for FYs 15 and 16 for the town of Winchester. Under current law, towns receive ECS grant payments as follows: 25% in October, 25% in January, and the remaining 50% in April. Under the bill, Winchester will be paid, after certification by the education commissioner to the treasurer, in the following installments: 50% of the grant in October, 25% in January, and 25% in April.

EFFECTIVE DATE: July 1, 2014

§ 251 — MANUFACTURING APPRENTICESHIP TAX CREDITS

Existing law allows eligible corporations to earn tax credits for employing apprentices who are receiving training in the manufacturing, plastics, plastics-related, or construction trades. Corporations may apply the credits against their corporation income taxes.

Beginning with income years commencing on or after January 1, 2015, the bill allows S corporations, limited liability companies, limited liability partnerships, and limited partnerships (i.e., pass-through entities) to earn apprenticeship tax credits for manufacturing trades and sell, assign, or transfer them to other taxpayers, including corporations that may in turn claim the tax credits to reduce their corporation tax liability. By law, pass-through entities do not pay corporation income taxes; rather, (1) their owners, shareholders, and partners pay personal income taxes on their share of the income the business generates and (2) the entities pay the business entity tax.

The bill allows pass-through entities to transfer the credits, in whole or in part, to one or more taxpayers. The credits may be transferred up to a total of three times.

EFFECTIVE DATE: July 1, 2015

§ 252 — RETIREMENT SALARY - JUDGES, FAMILY SUPPORT MAGISTRATES, AND COMPENSATION COMMISSIONERS

The bill (1) reduces the retirement salary for certain judges, family support magistrates, and compensation commissioners based on when they took office and years of state service and (2) prohibits any judge from receiving more than one pension benefit as a result of his or her employment with the state. (Thus barring any judge, but not a family support magistrate or compensation commissioner, who previously held another state position and was vested in that pension plan from receiving both pensions.)

Under existing law, a judge, family support magistrate, or compensation commissioner who started serving in that office on or after January 1, 1981 and (1) attains age 70 while serving or (2) is retired because of disability, must receive an annual retirement salary that is two-thirds of the salary he or she was receiving when he or she retired. Under the bill, this benefit remains unchanged for those who (1) took office between January 1, 1981 and July 1, 2014 or (2) started office on or after July 1, 2014, and have 10 or more years of state service credit, as defined by the state employee retirement act, at the time of retirement.

Under the bill, if the judge, family support magistrate, or compensation commissioner (1) starts serving on or after July 1, 2014 and (2) has less than 10 years of state service credit at the time of retirement, the annual retirement salary is two-thirds of the salary he or she was receiving at the time of retirement multiplied by a factor which is determined by dividing his or her years of service by 10. The bill specifies that the maximum number of years of state service for this calculation is 10 years.

EFFECTIVE DATE: Upon passage

§ 253 — MUNICIPAL VOTE ON LIQUOR PERMIT QUESTION

Existing law requires that, upon petition of at least 10% of a

municipality's electors, the selectmen must issue a warning that the municipality will hold a referendum to determine (1) whether to allow alcohol sales in the municipality or (2) what types of alcohol sales permits to allow (i.e., only allowing certain alcohol permits, such as those for on-premises or off-premises consumption). Currently, the referendum may only be held at a regular municipal election. The bill allows such a referendum to also occur at a regular state election. By law, unchanged by the bill, the petition must be submitted to the town clerk at least 60 days before the election.

§ 254 — RETIRED POLICE AS SCHOOL SECURITY GUARDS

The bill allows a municipality or board of education to hire or contract with two additional categories of retired police officers to provide armed school security services. It does so by expanding the definition of "retired police officer" to include individuals who are sworn:

1. federal law enforcement agents who (a) meet or exceed Connecticut's Police Officer Standards and Training (POST) Council certification standards and (b) retired or separated in good standing from federal law enforcement service or

2. officers from an organized out-of-state police department who (a) were certified under standards that meet or exceed POST's certification standards and (b) retired or separated in good standing from their department.

In both cases, the individuals must also be "qualified retired law enforcement officers" as defined in the federal Law Enforcement Officers Safety Act (LEOSA). Among other things, this means the officer must have either (1) served as a law enforcement officer for 10 or more years or (2) separated from service due to a service-related disability.

For both new categories, the bill does not specify who determines whether a retired officer meets or exceeds POST's certification standards.

By law, to be eligible to provide armed school security services, the retired officers must also complete annual (1) public school security personnel training provided by the POST Council and (2) firearms training that meets or exceeds POST Council or LEOSA standards, provided by a certified firearms instructor.

Under existing law, "retired police officers" for this purpose also include sworn members of:

1. an organized local police department who were certified by the POST Council and retired or separated in good standing from that department or

2. the Division of State Police within the Department of Emergency Services and Public Protection and retired or separated in good standing from the division.

EFFECTIVE DATE: July 1, 2014

Background — POST Council Certification Standards

By law and regulation, the POST Council has the authority to establish police certification standards (CGS § 7-294d(5) of the 2014 Supplement; Conn. Agencies Regs. § 7-294e-3). Currently, the council requires candidates to complete 880 hours of basic training before becoming eligible for certification.

§ 255 — SCHOOL CONSTRUCTION FOR TORRINGTON

This section waives certain school construction requirements for a school renovation and alteration project in Torrington. It (1) waives the requirement that the local funding commitment be in place before a school construction grant application is considered and (2) requires the education and constructions services commissioner to give review and approval priority to the project, provided the town submits a completed grant application with funding authorization for the local share of the project by November 30, 2014.

Under state school construction law, the state reimburses towns for a percentage of their eligible school construction costs based on a

sliding scale. The scale is based on town wealth ranging from 20% to 80% of the eligible costs.

EFFECTIVE DATE: Upon passage

§ 259 — COMMISSION ON MEDICOLEGAL INVESTIGATIONS AND THE OFFICE OF THE CHIEF MEDICAL EXAMINER

The bill repeals a provision that requires the Commission on Medicolegal Investigations (CMI) and the Office of the Chief Medical Examiner (OCM) to be within the University of Connecticut Health Center (UCHC) for administrative purposes only. Among other things, this repeal means the CMI and OCM must provide their own record keeping, reporting, and other clerical functions.

EFFECTIVE DATE: July 1, 2014